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Ontario. Legislative assembly. [Committee]
Select committee to study and report upon
problems of Delinquent individuals and custodial
questions, and the place of reform institutions
therein.

Report 1954



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I N D E X

of the

REPORT OF THE SELECT COMMITTEE APPOINTED TO EN-
QUIRE INTO CUSTODIAL MATTERS IN THE PROVINCE OF
ONTARIO, AND THE PLACE OF REFORM INSTITUTIONS
THEREIN.

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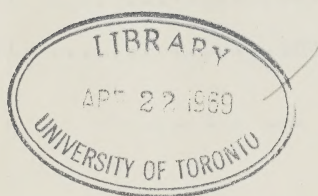
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- 2. The second part of the report is devoted to a detailed analysis of the economic situation in the country.
- 3. The third part of the report is devoted to a detailed analysis of the social situation in the country.
- 4. The fourth part of the report is devoted to a detailed analysis of the political situation in the country.
- 5. The fifth part of the report is devoted to a detailed analysis of the cultural situation in the country.

6. The sixth part of the report is devoted to a detailed analysis of the foreign relations of the country.

7. The seventh part of the report is devoted to a detailed analysis of the military situation in the country.

8. The eighth part of the report is devoted to a detailed analysis of the financial situation in the country.

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- "E" Prisoners from outside points discharged from Sudbury District Jail - January - June, 1953.

AN APPRECIATION

I wish to express appreciation to the Prime Minister of Ontario and the Legislature for the special honour which it has been my privilege to enjoy as Chairman of the Select Committee on Reform Institutions, and my gratitude to the excellent and able members, possessed of fine minds, who have so ably carried on the duties, the task and great responsibilities entrusted to the Committee enquiring into the treatment of persons who have offended against the law. The undivided attention, interest and studies, professional and skilled knowledge contributed by the members has necessitated a great sacrifice of time and disregard for their personal affairs. The amount of work done by the members, I am sure, cannot be fully realized.

To the Committee I wish to pay a well-earned tribute for unselfish and unpartisan action and express my personal thanks for their confidence, co-operation, loyalty, tolerance and devotion to their duties. To my fellow members for whom I hold the highest regard both individually and collectively, I am indeed deeply grateful.

W. J. STEWART

FOREWORD

This has been the first Ontario study of its kind since 1930 and the Committee was authorized by its Terms of Reference to make a broad and thorough investigation. The Committee has striven to carry out the investigation with the utmost fullness, fairness and objectivity.

The Minister and senior officials of the Department of Reform Institutions were invited to attend meetings and add their counsel to the deliberations. The Minister and senior officials of the Department of the Attorney-General were consulted frequently.

Hearings were held in Toronto and in various institutions in many parts of the province. All meetings were public with the exception of those at which inmates were interviewed and those at which this Report was compiled.

The Committee interviewed the Minister and officials of the Department of Reform Institutions and the Minister and officials of the Department of the Attorney-General, together with experts in the fields of reformation and penology generally and municipal

officials and other interested citizens. Inmates were interviewed at each of the institutions visited. Briefs and reports were received concerning the multitudinous and divergent aspects of reformation and custody. All information so obtained was given careful consideration and was supplemented by inspection of institutions in Ontario and elsewhere.

The first meeting was held April 20, 1953, in an office of the Department of Reform Institutions. To facilitate efficient study of the problems involved, members of the Committee undertook to give leadership in consideration of subjects as follows: farm administration, hogs, beef, and abattoirs, Mr. Oliver; dairying, Mr. Manley; lumbering, Mr. Dempsey; administration, segregation and matters pertaining to discipline, Mr. Grummett; commitments and sentences, Mr. Nickle; professional services, such as doctors, dentists and matters pertaining to diet, Dr. Leavine; spiritual matters and release and reformation of prisoners, Mr. Downer; custodial care, including punitive aspects, Mr. Johnston; quarries, Mr. Pryde; education and vocational training efforts, Mr. Morrow.

Reformatories, industrial farms and jails were under the supervision of the Provincial Secretary prior

to 1946, when the Department of Reform Institutions was brought into being by virtue of the "Reform Institutions Act, 1946". At that time, ~~the~~ officials of the new Department re-studied the most progressive and effective methods of reformation and rehabilitation of delinquent individuals in this and other prison jurisdictions.

The Committee was advised of a plan of operation known as "The Ontario Plan," embodying the aims of the Department. Although officials differed on details of exactly what constituted the Ontario Plan, the Department supplied the following list of its principles:

- (1) Considerable extension of the classification of prisoners, with smaller institutions for special groups.
- (2) Replacement of the common jails by modern industrial farms.
- (3) Rapid expansion of the academic study programs in the reformatories and industrial farms to the effective limit.
- (4) Inauguration of formal vocational training and expansion of it to the effective limit in conjunction with the present industrial and other work.
- (5) Physical drill for all inmates likely to benefit by it, with an up-to-date recreation program, physical and mental, for all inmates.
- (6) Permanent employment of specialists to apply the best penological and scientific methods.

- (7) Increased care in the selection of suitable officers and employees. Formal, as well as practical, training of guards, and special courses for other personnel as conditions require it. Selection of faculty to give the technical and formal training on a broad perspective.
- (8) Systematic and intensive efforts by very carefully selected personnel to rehabilitate ex-prisoners.

The extent to which these principles are in operation is the subject of examination throughout this Report.

In order to complete its investigation in the manner envisaged by the Terms of Reference, the Committee held a total of 153 meetings, heard 403 witnesses (including 69 inmates) and visited 50 institutions, including 39 in Ontario (all four reformatories, all four industrial farms, all eight Provincial and Roman Catholic training schools, 22 of 45 jails and one juvenile detention home); two in Quebec (Boys' Training School, Shawbridge, and Girls' Training School, St. Bruno); and eight in the United States (Wayne County Jail, Detroit; New York Reception Centre, Elmira; The Tombs, New York City; Walkill Prison, N.Y.; New Hurley Prison, Philadelphia; Ohio State Penitentiary, Columbus; London Prison Farm, Madison County, O.; and Mansfield Reformatory, O.). In addition the Committee conferred in Ottawa with the Minister of Justice and the Minister of Health and Welfare

on matters within its Terms of Reference, and one member conducted an examination of the British prison and reformatory system, including interviews with senior officials and inspections of several institutions, while on a trip to Britain at his own expense.

The Committee has been aided substantially in its work by the whole-hearted co-operation of those called as witnesses, including a number of ex-inmates who volunteered to testify. Many public-spirited organizations and persons gave testimony and displayed a keen interest in the Committee's task.

The Department of Reform Institutions and the Department of the Attorney-General have provided invaluable assistance without which the Committee's duties would have been much more onerous. Both Departments, and particularly the Department of Reform Institutions, were called upon repeatedly for detailed data and they complied with these requests fully and promptly. Testimony of officials of the two Departments was a constant source of assistance.

Throughout the deliberations, the Press and Radio provided excellent coverage of the type that kept the public informed, step by step, on the progress of this public investigation.

CUSTODIAL INSTITUTIONS IN ONTARIO

The Department of Reform Institutions has full or partial jurisdiction over four reformatories, three female refuges, 35 county jails, eight district jails, two city jails and eight training schools.

They are as follows:

1. Onatario Reformatory, Guelph.
2. Ontario Reformatory, Brampton.
3. Ontario Reformatory, Mimico.
4. Andrew Mercer Reformatory for Women, Toronto.
5. Industrial Farm, Burwash.
6. Industrial Farm, Monteith.
7. Rideau Industrial Farm, Burritt's Rapids.
8. Burtch Industrial Farm, Brantford.
9. Ontario Training School for Girls, Galt.
10. Ontario Training School for Boys, Guelph.
11. Ontario Training School for Girls, Toronto
(Mercer Reformatory).
12. Ontario Training School for Boys, Bowmanville.
13. Ontario Training School for Boys, Cobourg.

Private Training Schools - (Operated by Roman
Catholic Orders)

14. St. Joseph's Training School for Boys, Alfred.
15. St. John's Training School for Boys, Toronto.
16. St. Mary's Training School for Girls, Downsview.

Industrial Refuges

17. The Good Shepherd Industrial Refuge,
Minnow Lake, Sudbury.
18. The Good Shepherd Industrial Refuge,
14 West Lodge Avenue, Toronto.
19. The Andrew Mercer Reformatory for Women,
Toronto.
20. County Jails - 35
21. City Jails - 2 Toronto (Don Jail)
Hamilton
22. District Jails- 8 Fort Frances
Haileybury
Kenora
North Bay
Parry Sound
Port Arthur
Sault Ste. Marie
Sudbury.

R E P O R T

of the

SELECT COMMITTEE APPOINTED BY THE LEGISLATIVE ASSEMBLY
OF THE PROVINCE OF ONTARIO, TO STUDY AND REPORT UPON
PROBLEMS OF DELINQUENT INDIVIDUALS AND CUSTODIAL
QUESTIONS, AND THE PLACE OF REFORM INSTITUTIONS THEREIN.

- - - - -

1. THE PROBLEM

1. The Protection of Society

A basic concept of society is that action should be taken against those who break society's laws. The traditional purpose is twofold; to punish individuals for wrongdoing and to protect society against further wrongdoing. The methods of taking action against offenders have varied in different ages and different civilizations in reflection of society's nature and development.

In the earliest days of organized living, the emphasis seems to have been on retribution, and consequently, on individual punishment, and the protection of society was a secondary purpose that it was hoped would stem from fulfillment of the first. The main

methods of punishment in the rough and rudimentary communities of the cave man were physical, such as execution and various forms of torture. The theory was that fear of this sort of punishment would be effective in protecting society against criminal acts. Later, as society became more humane, the retributive aspect of punishment mellowed and drastic physical methods gradually were replaced by less extreme measures, such as detention in unpleasant surroundings against the offender's will. A major means of trying to induce reform, which was both stern and unrealistic, was to place the offender in solitary confinement in the hope that enforced solitude would bring constructive meditation and repentance.

In the present century, there have been further modifications. The aim of protecting society has taken precedence over the original basic aim of punishment. In Ontario, as in other jurisdictions, the accepted theories today are that punishment of the individual should be incidental to his reformation, since only by the reformation of large numbers of delinquent individuals can society be protected against recurrent breaches of the law by them; and that society should concentrate on positive encouragement of a law-abiding way of life rather than trying to deter crime mainly through fear of punishment.

2. The Status Quo

The Committee is in accord with these theories, as theories, as long as they do not go to the extreme of trying to eliminate punishment altogether. The unfortunate truth about them in Ontario, however, is that they are being carried out only half way. Treatment of offenders is humane, punishment has been reduced close to the practical minimum and fear of punishment has diminished as a deterrent; but the effective reformative program that should accompany these things is still in its infancy, and the interest and co-operation displayed by society as a whole are, by and large, ineffectual tokens. The result is a hiatus between theory and practice in which neither punishment is imposed nor reformation induced to any effective degree.

To put the theory into effect, a system is required that has four solid cornerstones:

1. Fully-informed courts, capable of imposing sentence with regard to the character of the individual as well as the character of the crime.
2. Facilities for proper supervision of those serving sentences or parts of sentences while at liberty, namely, those on probation and those on parole.
3. Careful segregation by institutions, along

with institutional programs that are capable of effective reformation of a high proportion of the inmates treated.

4. A responsible, interested society anxious to stimulate good living and to help those who, having offended, realize the error of their ways and want to become good citizens.

The Committee has found these cornerstones to be somewhat less than firm. In their present state they are not capable of supporting a reformatory system that can give society the greatest possible protection. Detailed analyses and recommendations are made throughout this Report, but it would be well here to outline the inter-relation of these cornerstones as they function together in the system as a whole.

The courts are not fully informed. Except in some of the larger centres, pre-sentence reports to the magistrates and judges still are the exception rather than the rule, although the Committee was pleased to note that their use is becoming more widespread as more probation officers are appointed. Without such reports, the courts are forced to impose sentence in a vacuum. They know the circumstances and character of the crime but they know little of the circumstances and character of the individual who has committed the crime. Many

magistrates and judges make it a point to ascertain these things themselves before imposing sentence; many others cannot possibly find time to do so. The law allows discretion in the imposition of sentence for certain crimes according to the background, character and prospects of the convicted individual. This is as it should be, but there is bound to be a lack of consistency and a lack of maximum effectiveness as long as pre-sentence reports on all convicted persons, especially young first offenders, are not available to all courts in the Province.

Facilities for proper supervision of those on probation and parole are improving. Probation seems to be well-organized and fairly effective, although it does not yet serve all parts of the Province. There has been growing awareness that reformation of some individuals can best be achieved through a probation sentence, involving close supervision while a person remains at liberty, rather than a sentence to an institution. Parole, which involves serving out the last part of a sentence at liberty and under supervision after discharge from an institution, is hampered by lack of leadership by the Board of Parole and consequently, it is not operating at maximum efficiency. There has been stress, however, on the importance of the work of

the Parole Officers and the need to select competent persons to do the work. Yet it must be noted that both probation and parole officers often have so many cases to handle that they cannot carry out their duties with the individualized approach that is necessary. And, although the functions of these officers are so similar in many respects, not until last December does there appear to have been any real liaison between them.

Programmes in institutions are generally inadequate. The Committee has examined them very carefully and the inescapable conclusion is that, with a few notable exceptions, Ontario's reform institutions are not living up to their name. The Department of Reform Institutions has admirable aims, as expressed in its "Ontario Plan", but realization of these aims has barely been started. Advances have been made in the treatment of promising young "reformables" at the Ontario Reformatory, Brampton, and the treatment of alcoholics at the Alex. G. Brown Memorial Clinic, Mimico. The sound principles of establishing industrial farms and making institutions as "open" as possible have been adopted. But the majority of persons sentenced to Ontario institutions receive while incarcerated no effective stimulus to reform.

If they are given short sentences, they go to jails and sit around in idleness. If they are given longer sentences, they go to reformatories or industrial farms where some work hard, some do not, and few receive effective training or counselling designed to steer them toward good, law-abiding citizenship. They are humanely treated, well fed and well clothed, but in the main, they are not reformed. In the first place, they are not given thorough and individual study to determine the causes of their anti-social behaviour and the types of reformatory treatment to which they would be most likely to respond. In the second place, they are not segregated with sufficient exactness, with the result that all too frequently the "accidental" criminals mingle with hardened veterans and the "reformables" are contaminated and schooled in crime by the incorrigibles. In the third place, because of the lack of individual study and careful segregation, those staff members who earnestly try to give good reformatory treatment are frustrated to a considerable degree in their efforts. Treatment of juveniles, which deserves an important place of its own, has made progress but is still of questionable effectiveness.

The responsible, interested society that should be the fourth cornerstone of the reformatory system, is perhaps the weakest of the bases. Adult members of society, by family example and discipline, make an inconsistent contribution to the prevention of crime. Although the values of probation and parole are gaining recognition, there is a too-prevalent tendency to ostracize those who have offended against the law and to belittle attempts to reform them, rather than trying to understand the problems involved in the realization that offenders are human beings who need and deserve help when they decide to mend their ways. Current public attitudes are short-sighted in the extreme. They tend to encourage the spread of crime rather than discourage it. Society cannot expect a government department to wave a magic wand and provide the maximum of protection against crime. Society itself must actively participate, for public apathy and lack of understanding militate against the effectiveness of reformation.

Other factors complicate the situation. There is high-level administrative confusion, such as the arbitrary and unrealistic divisions between Federal and Provincial jurisdiction, the cumbersome

multiple control of county and city jails, and the holding in jails of some persons who should not be there at all, including the mentally ill and the lock-up prisoners who have not yet appeared in court.

3. The People Who Commit Crime

Into the mill of Ontario's reformatory system, such as it is, went 53,941 "persons" in the fiscal year ending March 31, 1953. This figure must be regarded as a statistic rather than a statement of the number of individual human beings involved, since repeaters are counted more than once. But it is a frightening statistic, no less so for the fact that more than half the figures represent return visits. By the same statistical yardstick -- the only hardstick available, unfortunately -- there were 40,003 convictions. Of that total, about one-third paid fines or received suspended sentence or probation; the remaining 28,055 served time in jails, reformatories, industrial farms, penitentiaries or the like.

These figures represent the human beings against whom society is trying to protect itself. These human beings too often are regarded, incorrectly, as a group apart and somehow different from the rest

of society. Yet the people who commit crimes are much the same in general characteristics as anyone's next-door neighbour, differing only in degree -- sometimes an infinitesimal degree. For the most part, they are morally ill or retarded. They have grown up without due respect for the laws of the society in which they live. Some of them, however, are perfectly normal in every way and have yielded to impulse in pressing circumstances in a way that anyone without strong will power or sense of rightness might have yielded.

Offenders against the law are a cross-section of ages, of occupations, of social status. Most are Canadian-born. Most are intemperate in habits -- a characteristic, it should be pointed out, that is shared by a great many persons who do not offend against the law. It is significant that a high proportion of offenders were brought up in an unhappy home atmosphere, but this is by no means true in all cases.

The most common offences in the last fiscal year were those involving liquor -- 25,305, or fully 60 percent. of all convictions. More than half of all sentences were for 30 days or less; little more than one-tenth were longer than three months.

The people of Ontario cannot be proud of the statistics of the custodial institutions. The number sentenced to serve time for their offences amounts to about one of every 175 per population. The comparable figure in England is one of every 1,259. In contrasting these figures, however, it must be remembered that repeaters are counted several times -- a factor weighted against Ontario in view of the large number of short sentences here -- and that many offences here, especially those involving liquor, are not considered to be offences in England.

As shown by the accompanying chart, the procedure of a person arrested on a charge of breaking the law is as follows:

He is taken to the police station and lodged in the lock-up there overnight, or, in some places and circumstances, he is held overnight in the local jail.

The next day -- or, if he was arrested on a week-end, the following Monday -- he goes to court. He may be (1) immediately tried and acquitted; (2) immediately tried, convicted and sentenced; (3) immediately tried and convicted but remanded for sentence; (4) remanded for trial, with or without bail.

If he is not acquitted or released on bail, he goes directly from court to jail. There, even if he is an innocent person, he is kept in the same quarters or cell block as the following contrasting groups:

1. Persons on remand for trial.
2. Convicted persons on remand for sentences.
3. Convicted persons serving sentences.
4. Convicted persons awaiting transfer to other institutions.
- 5.. Persons alleged to be mentally ill, or who have been certified as mentally ill.
6. In some jails, juveniles for whom portions of cell blocks have been set aside.
7. In Toronto's Don Jail, persons awaiting deportation.

In many jails, there are insufficient facilities for the proper segregation of the aforementioned groups. The innocent are in close proximity to the guilty, the first offenders to the hardened criminals, and sometimes the juveniles to the derelicts. Such conditions certainly are not conducive to reformation.

If the individual receives a short sentence -- usually a sentence of less than three months -- he services it in a jail. If he receives a longer

sentence of up to two years less a day, he is subsequently transferred to a Provincial institution; and if the sentence is two years or longer, he is transferred to a Federal penitentiary.

This Committee has made no study of penitentiaries, since they come under Federal jurisdiction. However, it is deeply concerned about all the other steps in the procedure outlined above.

4. The People Who Pay the Penalty

It is a popular misconception that a convicted person is singled out to pay the penalty for his crimes. Actually, he often pays a much less severe penalty than society generally and his own family particularly.

Society pays quite literally, in dollars and cents. It pays, through taxes, an average of about \$3.77 a day for the room and board of each person who serves a sentence in an institution. Thus a person who serves a one-year sentence, costs society about \$1,500. (It should be pointed out that these figures are net, allowing for the revenue of institutional industries). Society also pays for the support of the convicted man's family, through relief and Mothers' Allowances. Relief assistance

to families of convicted men in Toronto alone averages about \$84,000 a year. When allowance is made for those who probably would have been on relief anyway, a net total remains of nearly \$60,000 -- a sizeable amount to be borne by municipal taxpayers. On this basis, it could be estimated conservatively that the total net cost of relief for such families throughout Ontario would be close to \$200,000 a year. In addition, Mothers' Allowances are paid by the Provincial Welfare Department to many women whose husbands are serving terms of two years or longer. The total runs in the neighbourhood of \$40,000 a year. The operation of courts and police forces add still more charges on the public purse. The grand total, including nearly \$6,000,000 net for the Department of Reform Institutions, would certainly be far in excess of \$10,000,000 annually.

Unfortunately, these costs tend to be recurrent. About 70 percent. of the prisoners in Provincial institutions are repeaters. Society pays dearly for crime, and it pays over and over again. Many habitual criminals and their families are supported for a great portion of their lives by taxpayers.

A further burden on the general public is insufficient protection against crime. It could not

be said that the money spent for apprehension, trial and incarceration of offenders is all wasted -- the process serves the ends of justice and provides a considerable degree of protection -- but certainly a great deal of it does not produce the results that should be expected. The investment does not provide the interest, in the form of reformation, to which the public is entitled.

While the offenders themselves suffer the loss of liberty and in some cases undergo mental anguish, they are physically comfortable. The same cannot always be said for their families. Women and children who are innocent of any crime pay a grievous penalty, often involving greater mental anguish and much greater physical discomfort. The stigma of a term in an institution attaches itself to the families as well as the offenders. A home without a husband, father and wage-earner incurs both immediate and lasting hardships.

A graphic illustration is the following excerpt from a letter sent to a member of the Committee by a woman whose husband was serving a sentence:

" I am here all alone with three little children. The baby has never seen her daddy. The other two wake up in the night crying for him. It isn't very pleasant to hear. I have

to carry water to do all the washings. The pump freezes up in the winter. There are times I can't get it thawed out and have to go to the neighbour's for water. I saw wood to keep the children warm, and believe me, that's no woman's job. We built our home which still has a mortgage on. We certainly don't want to lose our home, although it hasn't seemed much like home since my husband hasn't been here. I'm hoping to God there is some way you can help me get my husband home with us."

Perhaps it is a necessary by-product of justice that the innocent sometimes must suffer along with the guilty. Surely it is contrary to the public conscience in an enlightened society to condone such suffering whenever it can be avoided without jeopardizing the ends of either justice or reformation. Yet it has been condoned on a large scale in Ontario, until very recently, by ignoring the superiority of probation over imprisonment in selected cases, both through easing the suffering of the innocent and enhancing the likelihood of reformation of the guilty.

5. Future Prospects

In assessing the prospects for the future it is necessary first to analyze the trends of the past.

Crime has increased gradually over the past 40 years. Contrary to some claims, it has increased at a greater rate than has the general population. In 1913, 4.3 persons in every thousand were convicted and sentenced; in 1952, it was 8.5 per thousand. Ontario's population in that period rose from 2,767,000 to 4,766,000 -- an increase of 73 percent; but the number of persons sentenced rose from 11,897 to 40,486 -- an increase of 240 percent.

The ratio has swept inexorably upward. It shows recurrent peaks and valleys on a graph, but each peak and each valley is higher than the last. The high and low years in the period since 1913 were as follows:

1914	--	5.3	sentenced	per	thousand	population.
1923	--	2.6	"	"	"	"
1930	--	6.4	"	"	"	"
1934	--	3.8	"	"	"	"
1939	--	7.4	"	"	"	"
1943	--	4.9	"	"	"	"
1951	--	8.9	"	"	"	"

(For detailed figures, see Appendix A)

Besides showing a steady increase over the years, these figures give some clue to the causes of crime or, more properly, the conditions in which crime is most likely to flourish. Not in the hard and anxious times of depression and war does the number of offenders increase, but in the relatively easy times

of prosperity. The first peak in 1914 was followed by a sharp drop during the first two years of World War I, then a levelling off. The ratio did not start a marked climb again until 1924, when prosperity was on the upswing. It soared through the late 20's to a peak in 1930, climaxing the rise and collapse of a period of plenty. During the first years of the depression, the ratio went down. It started up again in 1935, at first gradually, then sharply, to the next peak in 1939. In World War II, as in World War I, crime slackened. But after levelling off for several years, the ratio started to rise in 1936 and kept pace with the swelling peacetime prosperity until 1951. The decline that started in 1952, appeared to continue in 1953. How long it will continue and how far down it will go, are impossible to predict. If the ratio follows the same pattern in the future as it has in the past, there will be a further decline for a few years -- a decline in ratio, but not necessarily in numbers -- and then an upsurge to another new high.

To obtain the most accurate possible picture of future possibilities, the Committee requested the Provincial Economist to analyze past trends and project them to indicate the prospects

for the next 10 years.

He reported:

"It is not possible to predict accurately how many persons will be sentenced in any year in the future, but we can draw certain general conclusions, assuming a continuation of the trends which have been operating in the past. In recent years, our population has been growing at a rate exceeding $2\frac{1}{2}$ percent. per annum, but supposing we assume a rate of growth for the next 10 years of $2\frac{1}{2}$ percent. per annum and the ratio of persons sentenced to population which we experienced in 1952, the number of persons sentenced in 1958 would be 46,951, and 53,121 in 1963, as against the 40,486 sentenced in 1952.

"Furthermore, if we were to project the 1913-1952 trend in the number of persons sentenced, by 1963, this number would be 57,557 as against the 40,486 sentenced in 1952. If we assume that the 1938-1952 trend will continue, the number of persons sentenced in 1958 would be 50,492 and the number of persons sentenced a decade from now (i.e. 1963) would be 60,696 per annum or about 50 percent. more than in 1952."

The impact such increases would have should require no emphasis. While the Provincial Economist

points out that these figures are not "estimates" in the usual sense of the word, since future conditions cannot be foreseen, still they must form a basis for planning. The reformative system must be prepared to handle 30 to 50 per cent more delinquent individuals than it handles now. Two effects of the increases are obvious. If the system continues as it is, the pressure on institutions will become critical and will require major building programs for expansion. And unless there is strengthening of the bases of the system and a good deal of progress in reformative efforts, the system inevitably will decline in effectiveness and provide still weaker protection for society.

(Page 22 follows)

5. The Keys of Reformation.

If the existing system is allowed to continue without major changes, Ontario will just have to build more and more institutions to accommodate the growing number of offenders. Such action and spending would be futile and contrary to the best interests of society. It would be a blind and continuous race.

The alternative that must be undertaken is the improvement of the reformatory system to the benefit of the individuals who offend and of society as a whole.

It must be recognized that there is no cure-all for offenders, no easy road to reformation. A person cannot be reformed unless he wants to be reformed. But a system can better its percentage of success by providing the best possible facilities and personnel and concentrating them on each individual offender, and by giving each individual offender the type of sentence and the type of treatment that will be most conducive to his reformation.

It must be recognized, too, that society itself should shoulder the major portion of blame for the unsatisfactory state of reformation in Ontario. The system is an inheritance that has

come down through the years. The general public has paid lip service to progressive theories but has been hesitant to allow more than a bare minimum of public funds to be spent on reformation of offenders, or to take the active interest needed to put the theories into practice. The recommendations made in this Report cannot be carried out without public support, and they cannot achieve their maximum effectiveness without genuine public understanding of the extent of the problem and the urgent need for a solution.

Improvements in the system have taken place steadily, but not in sufficient measure to bring satisfactory results in reformation. Since the last report dealing with the subject -- made in 1930 by the Royal Commission on Public Welfare -- there have been commendable changes in segregation, in treatment, in proper accommodation and in probation services. But most of the findings of that Commission 24 years ago could be applied with equal accuracy to the system existing today. The improvements, without exception, have gone only part-way toward solving the big problems involved; many of the other problems of 1930 are as far from solution now as then. There still is too much idleness among inmates, too little

work, and continued utilization of antiquated jails. And there still is inadequate inspection of city and county jails resulting from a lack of departmental standards for these institutions and consequent inconsistency of opinion among inspectors.

A basic obstacle to study of this field continues to be the lack of authoritative research and detailed knowledge concerning penology in Ontario. This is an obstacle that would be equally formidable in other provinces, for no Canadian university has a chair in penology. In the past half-century, as the emphasis has shifted from custody to reformation, penology has become a social science closely related to such fields as psychiatry, sociology, psychology and education. Reformation is an extremely complicated process. Common sense is vital to its success, but so are scientific knowledge and research. While theories in themselves mean little, they become extremely valuable when arrived at through a scientific approach with a firm basis of experience. This Province, as a step toward the maximum effectiveness of its own system, should encourage establishment of a chair of penology at an Ontario University.

To overcome the difficulty of the lack of reliable penological data as applied to Ontario, the

Committee spent more time and care than would otherwise have been required on the multitudinous details of the problem. Consolidation into principles follows.

The Committee believes that certain underlying principles must influence all conclusions reached in regard to the reformation and custody of offenders against the law. These principles are:

- (a) that society should be protected to the greatest possible extent against crime;
- (b) that offenders should be regarded and treated as individual human beings;
- (c) that reformation is best served by humane treatment;
- (d) that reformation and punishment should be apportioned in individual cases according to their optimum contributions to society, with reformation taking precedence wherever feasible;
- (e) that the innocent should not suffer needlessly with the guilty; and
- (f) that no theory, no matter how admirable, should be acted on unless it can produce results in practice.

Inherent in the carrying out of these principles is still another:

- (g) that true economy in a reformative system can best be achieved through consistent effectiveness over a period of time.

The final principle is a basic, practical consideration in implementation of the recommendations contained herein. It is not vital to the over-all picture, for the protection of society and the salvation of individuals from criminal pursuits are objectives which should be sought even if the cost is great; but it is a fortunate adjunct to the other principles because high costs and the resultant high taxes are a formidable obstacle to improvements of any kind. In the past, the operation of reformative and custodial programs has been based to a considerable degree on a false economy that ignored the long-range savings which would accrue through additional spending to set up a judiciously planned system. An example of this shortsightedness could be a person recorded in the Committee's confidential files, who started getting into trouble with the law as a youth in 1944, has been convicted 13 times on charges ranging from shop breaking to possession of explosives

and has spent a few days less than eight years out of the past ten years in custody; or, the older person interviewed by the Committee, who admitted that he had been jailed for offences involving liquor "every month of every year since 1929", and had spent a total of nearly twenty of the past twenty-five years behind bars. The former cost the taxpayers about \$12,000 net for incarceration alone, the latter close to \$30,000.

These are but two examples out of the several thousand persons who repeatedly turn to crime each year in Ontario. About 70 percent. of those sentenced to custody are repeaters, persons who have been in institutions before and have not been reformed. If only one-quarter of these repeaters had been reformed by a more effective system, their keeping of the peace would save the taxpayers more than \$1 million a year. If a larger percentage could have been reformed, the saving could be several million dollars per year.

Thus a more effective system of reformation, even if its initial costs are high, would pay dividends in a very few years. And one improvement that can better the degree of success -- extended probation for selected offenders -- could bring an impressive

saving immediately. As detailed later in this report, the cost of keeping an offender on probation is 40 cents a day at the most, compared with \$4.00 a day expended to keep him in an institution. A single Probation Officer with a case load of 50, can save \$180.00 a day. At a conservative estimate, taking all factors into consideration, a Probation Officer can effect a saving of \$50,000 a year, while at the same time enhancing the chances for reformation of the individuals under his supervision, not to mention the invaluable contribution to home life and the resultant saving in direct relief and Mothers' Allowances.

The reformatory system envisaged by the Committee would not be soft. As indicated earlier, one of the unfortunate aspects of the present half-way system is a tendency to make things too easy for those who break the laws. It is an unfortunate fact that certain many-time repeaters regard our institutions as "rest homes", where they can go to recuperate between binges, or when they are short on funds. They know they will be well treated, and they have neither the intention nor the desire to reform.

To be effective, a reformatory system must make a distinction between the reformable and the

non-reformable. This cannot be a hard-and-fast distinction, for there is always a chance that the most hardened repeater, perhaps late in life, will wish to reform and the door must be left open for him. But to attempt to treat experienced repeaters in much the same way as first and second offenders, is folly. It is a folly that has been practiced for many years in Ontario, and has only recently been recognized, and only a few steps have been taken toward a wiser policy. Those who give indications of being reformable should receive every chance and every encouragement to return to a law-abiding way of life, and their treatment should be geared for that purpose. But for repeaters who are hardened in their ways and do not wish to change them, there must be a return to the old concept of punishment. They have exhibited utter disregard for the rules of social living, and for that they should pay the penalty. The severest penalty imaginable, for many of them, would be hard work. When engaged in productive industry, their labour would serve the additional purpose of lessening the cost to society of their keep.

Only a strong deterrent has any hope of making an impression on these habitual wrongdoers. Their terms of incarceration should be sufficiently

unpleasant -- not through brutality or inhumane treatment, but through hard work and rigorous discipline -- that they will be most anxious not to undergo it again.

In essence, the way to a better system is through the strengthening of the four cornerstones. The keys to reformation, as outlined in detail throughout this report, could be summarized as follows:

Fully informed courts - there should be facilities for provision of pre-sentence reports on all convicted persons, especially first offenders, for the guidance of magistrates in imposing sentence.

Probation and Parole - facilities for supervising persons serving sentences, or parts of sentences, at liberty should be detailed and adequate. They should be available in all parts of the Province. Because of the degree of similarity in their functions, Probation Officers and Parole Officers should work in the closest possible liaison and should work under unified control as soon as such unification is practicable. The essential service of ~~Rehabilitation~~ of inmates after discharge from institutions, now carried out by Parole Officers, should also come under such unification.

Institutional Programs - For offenders who appear to be reformable, institutional programs

should be directed mainly at their reformation. For those who are hardened and unrepentent, the program should be directed at punishment sufficiently severe, although always humane, that it will deter such persons from further crime. A Reception Centre should be set up to classify all new inmates with considerable exactness, to be followed by correspondingly exact segregation for the purpose of effective carrying out of institutional programs. Those offenders who are suffering from a basic type of illness, such as sex deviates, alcoholics and drug addicts, should be given treatment aimed at curing their maladies rather than merely being detained in temporary and ineffectual incarceration.

An Actively Interested Society - Every means possible must be taken to impress on the general public the absolute necessity of their interest and understanding. The people of Ontario should play a vital role in crime prevention, through example and teaching; they should support the measures necessary to implement a truly effective reformative system; and they should give a decent and proper chance to those offenders who wish to reform.

Part of the mechanics of carrying out such measures, in contrast to the existing procedures

outlined earlier in this section, should be as follows:

- (1) Arrest; immediate medical examination if there is any doubt whatever of the suspect's physical condition; detention in the lock-up.
- (2) Court appearance, with habitual drunkards and repeaters for other minor offences going to a special court set up to handle them, and so ease the pressure from regular courts, when necessary; conviction or acquittal. (Those remanded should go to jail, if bail is not provided, for the first time following their appearance in court.)
- (3) Preparation of pre-sentence reports for all first offenders 16 to 25 years of age, and eventually, when facilities are available, for all offenders; sentence imposed with the pre-sentence report taken into consideration.
- (4) For promising first offenders, and for some other exceptional cases, probation; for those sentenced to an institution but considered good material for reform, indefinite sentences to enable time for training; for those given very brief sentences for minor offences and for habitual repeaters given longer sentences

for more serious offences, an abundance of hard work and rigorous discipline; for all those sentenced to institutions, except sex offenders, removal first to a Reception Centre for thorough diagnosis, study, and recommendation for type of treatment, and from the Reception Centre to the most suitable and selected institution.

- (5) For sex offenders, thorough pre-sentence study and, after imposition of an indefinite sentence, removal directly to an institution for treatment of this malady.
- (6) For first and second offenders and certain other exceptional cases on indefinite sentences, granting of parole after a sufficient period in an institution, such parole to be for a sufficient length of time for effectiveness.

Under such a procedure, generally speaking, first offenders would be placed on probation, second offenders would get a relatively brief term in a reformatory institution dependent on the nature of the crime, with parole permissible at the end of the definite sentence. Third and subsequent offenders,

having failed to reform through previous opportunities, should be sent to strictly custodial institutions.

6. Recommendations

The procedures and policies summarized above are outlined in greater detail throughout this report, and formal recommendations are made in the appropriate sections. One point, however, is so fundamental and yet so general, that it should be specifically repeated here. The Committee recommends:

That the Province should give every encouragement possible to establishment of a chair of penology at an Ontario University.

CHAPTER II

ADMINISTRATION AND PERSONNEL

A. FEDERAL VS. PROVINCIAL JURISDICTION

The division of responsibility between Federal and Provincial Governments calls for offenders with definite sentences of two years or more to be sent to Federal penitentiaries, those with shorter sentences to Provincial institutions.

This basis of division, which has not been revised since it was established eight years before Confederation for a different set of custodial systems in a different type of society, adds to the administrative problems of Ontario authorities. In many ways it would appear to be unrealistic and inconsistent.

It is of interest to note that in the fiscal year ending March 31, 1953, a total of 4,870 inmates in Ontario reformatories and industrial farms were convicted for violation of Federal statutes -- that is, about 35 per cent of all inmates who were in custody in these institutions during that year. Of the Federal offences, 3,515 were indictable and 1,355 were non-indictable.

Of further interest is the fact that 23 inmates during the year were sent to Provincial institutions with definite sentences totalling more than two years on each charge, with sentences to run consecutively. Under the existing practice a person

receiving three such sentences, or a total sentence of six years, is sent to a Provincial institution even though another offender sentenced to two or three years on a single charge goes to a Federal penitentiary.

Concerned about these and a number of other matters outlined below, the Committee asked for an interview with the Hon. the Minister of Justice (Mr. Garson). The request was graciously granted, and the Committee was accorded a splendid reception, a very patient hearing, and a co-operative attitude by the Minister of Justice. At that time the Minister of Justice suggested that the Committee prepare a brief for presentation to him, which would be considered by a Commission recently appointed to study such matters.

Accordingly, the Committee makes the following suggestions, with the recommendation to the Legislature that this part of the Committee's report be submitted to the Minister of Justice in compliance with his wishes.

1. Division of Responsibility Between Federal and Provincial Governments.

Under the British North America Act, Section 91, the Parliament of Canada has the exclusive legislative authority to legislate in relation to (inter alia)

"(28) The establishment, maintenance and management of penitentiaries."

By Section 92 of the same Act, the Provincial Legislatures have exclusive power to legislate in relation to (inter alia)

"(6) The establishment, maintenance and management of public and reformatory prisons in and for the province."

At the time of Confederation (and for some years prior thereto) the law provided that a prisoner sentenced to a term of imprisonment of less than two years would serve the sentence in the county jail and a prisoner sentenced to imprisonment for life or for any term of years more than two, should be sentenced to the Penitentiary.

After Confederation, no change was made in the law and it has continued down to this day.

The Penitentiaries Act, R.S.C. 1952, (Chapter 206, Section 46), provides:

"(46) Everyone who is sentenced to imprisonment for life or to a term of years not less than two shall be sentenced to imprisonment in the penitentiary for the Province in which the conviction takes place."

The Criminal Code, Section 1056, provides as follows:

"(1056) Everyone who is sentenced to imprisonment for a term less than two years shall, if no other place is expressly mentioned, be sentenced to imprisonment in the common gaol of the district, county, or place in which the sentence is pronounced, or if there is no common gaol there, then in that common gaol which is nearest to such locality, or in some lawful prison or place of confinement, other than a penitentiary, in which the sentence or imprisonment may be lawfully executed: Provided that,

- (a) when anyone is sentenced to imprisonment in a penitentiary, and at the same sittings or term of the court trying him is sentenced for one or more other offences to a term or terms of imprisonment less than two years each, he may be sentenced for such shorter terms to imprisonment in the same penitentiary;
- (b) when anyone is sentenced for any offence who is, at the date of such sentence, serving a term of imprisonment in a penitentiary for another offence, he may be sentenced for a term shorter than two years to imprisonment in the

"same penitentiary;

(c) When anyone is sentenced to imprisonment in a penitentiary who is, at the date of such sentence, serving a term of imprisonment in a common gaol, or in some lawful prison or place of confinement other than a penitentiary, unless it is otherwise directed by statute, he shall, instead of being returned to the common gaol or other prison or place of confinement, be forthwith sent to the penitentiary, there to serve the remainder of the unexpired portion of the term he was serving at the date of such sentence:"

(d) not relevant.

(e) not relevant.

The fixing of the term of two years as the division between Federal and Provincial responsibility is purely arbitrary. The Committee is in accord with the view of the Archambault Commission that the basis of two years is superficial and is in need of revision. There appears to be good reason for a study of the division of responsibility between Federal and Provincial Governments with a view to possible re-alignment.

The Committee believes it would be more realistic and more in keeping with the intended purpose of the division of responsibility for Federal penitentiaries

to accept a considerable portion of the recidivists who are convicted under Federal statutes, regardless of length of sentence, so that Provincial institutions would be better able to perform their reformative function.

2. Divided Control over Inmates in Provincial Institutions.

The Prisons and Reformatories Act, R.S.C. 1952, Chapter 217 (Section 43), provides as follows:

"(43) The Lieutenant-Governor of the Province of Ontario may appoint a Board of Parole for the said Province whose duty it shall be to inquire from time to time into the cases of prisoners sentenced to the Ontario Reformatory, the Andrew Mercer Reformatory or any industrial farm, and where as a result of such inquiry the Board thinks proper, it may permit prisoners serving indeterminate sentences to be paroled under conditions approved of by the Minister of Justice, and when the terms on which such prisoners have been paroled have been complied with, the Board may recommend for the consideration of the Minister of Justice the final discharge of such prisoners."

It will be noted from the above that it is only after a prisoner has commenced to serve the indeterminate part of the sentence that the Ontario Board of Parole has jurisdiction.

Prisoners serving definite sentences in the jails and reformatories for offences against the Criminal Code or other Dominion Statutes may be released before the expiration of their sentence only by Federal authority.

Since the Ontario Board of Parole is entrusted with the responsibility of dealing with prisoners who are serving indeterminate sentences in Provincial institutions, there would appear no good reason in principle that they should not be entrusted with the responsibility also of dealing with the definite portions of the sentences.

The Committee believes that the reformative process could be more effective if Provincial authorities were empowered to release any prisoner serving his sentence in a Provincial Institution at a time when he would be more receptive of reform.

The Committee further believes that provision should be made whereby longer indeterminate sentences could be imposed by the convicting magistrate, judge, or Justice of the Supreme Court, to allow more time to be given an inmate to learn a trade or acquire a better academic standing, which would fit him to better his condition in life upon his release.

3. Consecutive Sentences.

In the last fiscal year there were 23 inmates in Ontario institutions who were serving sentences which aggregated more than two years because they had been sentenced to serve consecutive terms of less than two years for a number of offences.

If on principle it is considered that a prisoner sentenced to imprisonment for one offence for a term of two years or more should go to the penitentiary, then the same principle applies in the case of a prisoner whose aggregate sentences for a number of offences is more than two years.

The Committee is of the opinion that the spirit of the existing law is violated when prisoners serve sentences which aggregate more than two years in Provincial institutions.

4. Habitual Criminals

The present provisions with respect to habitual criminals are contained in Part X(A), Section 575A of the Criminal Code. Where a person is found to be an habitual criminal, the judge may, after sentencing him for the offence upon which he has been convicted, order that he be detained in prison for an indeterminate period which is called preventive detention.

He may be found to be an habitual criminal if the judge or jury as the case may be, finds on evidence,

- "(a) that since attaining the age of eighteen years he has at least three times previously to the conviction of the crime charged in the indictment, been convicted of an indictable offence for which he was liable to at least five years imprisonment and that he is leading persistently a criminal life, or
- (b) that he has on a previous conviction been found to be an habitual criminal and sentenced to preventive detention."

The Committee would respectfully suggest that a study be made of the above legislation with a view to revising it to ensure that prisoners who have served a number of terms of imprisonment in the penitentiary should not be subsequently sentenced to imprisonment in the jails or reformatories. The presence of such men in the reformatories deters the attempt made to reform less hardened inmates. The same remarks apply to prisoners who have served three or four or more previous sentences in the reformatory.

The Committee is of the opinion that provision should be made in Part X(A) (Habitual Criminals) to provide that when a person has served three sentences in a reformatory, regardless of its location, and is again sentenced to imprisonment for another offence, such person may be charged as an habitual criminal.

6. The Advisability of Longer Indefinite Sentences.

Short sentences permit insufficient time for training. This, combined with the fact that long definite sentences do not permit release of inmates at the time most favorable for reformation, suggests that sentences with long indefinite periods, such as one to five years, would best serve the interests of reformation.

7. Mental Illness and Insanity.

Legal definitions concerning mental illness and insanity have remained static, for the most part, for 80 years. In the opinion of the Committee, these definitions are out-of-date and their revision would add to the effectiveness of reformatory efforts in custodial institutions.

There should be provisions for transfer of inmates suffering from a mental disorder but not certifiable from a custodial institution to a hospital or other suitable place for treatment.

8. Time Off for Good Behaviour.

Inmates in jails are not entitled to time off their sentences for good behaviour, as are those in penitentiaries, reformatories and industrial farms. Inmates in reformatories and industrial farms may earn a maximum of approximately five days a month for good behaviour (through a Federal Act), while those in pen-

itentiaries may obtain time off at a higher ratio. The Committee is of the opinion that uniform provisions for such time off should apply to all inmates in custodial institutions.

9. Expunging of Records.

Persons who have been convicted of certain offences subsequently find it difficult to obtain jobs with many employers, and to cross the border to the United States of America. This difficulty applies to one-time offenders as well as hardened repeaters. The Committee believes that one-time offenders who have demonstrated their ability and desire to lead a law-abiding life and have done so for a long period after their release, should not be so stigmatized; and that it would be in the interest of both reformation and common fairness to amend the laws so that the conviction and all records other than fingerprints of such persons would be expunged from all public records.

10. Central Place of Execution.

With respect to a central place of execution, Section 1065 of the Criminal Code provides,

"judgment of death to be executed on any prisoner shall be carried into effect within the walls of the prison in which the offender is confined at the time of execution".

There is a provision in The Prisons and Reformatories Act, Section 4, providing that the Lieutenant-Governor in Council, if because of the insecurity or

unfitness of any jail he deems it expedient so to do, may order any prisoner to be transferred to another jail. Subsection 3 of Section 5 of the same Act provides,

"If such an order is made in respect of a person under sentence of death, the Sheriff to whose jail the prisoner is removed shall obey any direction given by the said Order or by any subsequent Order-in-Council for the return of such prisoner to the custody of the Sheriff by whom the sentence is to be executed."

It would seem to be implicit in these Sections that the prisoner is to be returned to the County where he was convicted.

The Committee believes that the law should clearly enable a Province to establish a central place of execution if it so desires in an existing Provincial institution.

11. Detention of Persons Awaiting Deportation.

The Committee does not approve of the designation of jails, industrial farms, reformatories or other places of detention under control of the Department of Reform Institutions as "Immigration Stations", and suggests that the practice followed in other jurisdictions be established here, whereby persons awaiting deportation are held in custody pending the disposal of their cases in Stations especially designed for this purpose by the Department of Immigration.

12. Riotous Conduct in Institutions.

The Committee suggests that the Criminal Code be amended by enacting the creation of a specific offence

dealing with riots in custodial institutions, as the existing criminal law is somewhat obscure on this matter. Inmates who take part in such disturbances may be charged for actual property damage or assault under existing laws but there is nothing in the Code that clearly labels riotous conduct as an offence.

13. Drug Peddlers

There is no known cure for drug addicts and consequently they pose a difficult problem for custodial institutions. They are hopeless slaves to a habit that blackens their lives, and their condition is predicated on the activities of those who sell drugs. In the opinion of the Committee no penalty in the Criminal Code could be too severe for those convicted of selling drugs.

Recommendation

The Committee earnestly proposes that the matters outlined above be reviewed and ultimately adjusted in a way that would be more equitable than present practices. Accordingly the Committee recommends:

That this part of this Report be forwarded to the Hon. the Minister of Justice with a request that the suggestions made therein be given early consideration with a view to implementation.

ADMINISTRATION AND PERSONNEL

B - THE DEPARTMENT OF REFORM INSTITUTIONS

The Department of Reform Institutions, as created by the Reform Institutions Act of 1946, is charged with the administration and costs of Ontario's four reformatories, four industrial farms and three training schools; administration of the eight district jails, and inspection and partial supervision and costs of five training schools operated under Roman Catholic auspices and thirty-seven city and county jails.

A study of the personnel and operations of the Department itself is indispensable to a general study of custody and reformation in the Province. The present and future welfare of the individuals who come under the Department's jurisdiction are dependent, to a considerable degree, on the Department's policies, its efficiency and the interests and capabilities of its personnel on all levels.

The Department has a total of 1,121 employees, including 67 on the Head Office staff and 1,054 on the staffs of the various institutions. Its total budget for 1953-54, as voted by the Legislature, is \$8,545,000. By inter-departmental bookkeeping, on the existing

basis of calculation, about \$2,500,000 of this sum should be offset by the sale of inmate-produced goods to other departments and a further \$500,000 by perquisite charges and other revenues. While the net cost of operating custodial institutions in this Province for the current fiscal year, if the entire amount voted is spent, thus should be about \$5,545,000, not counting costs charged to other sources, it is pointed out below that a more realistic system of bookkeeping would show the net cost to be somewhat lower.

The name of the Department of Reform Institutions is reflected in the general aim of its policies and operation. Unfortunately, the name is reflected to only a limited degree in actual practice. Reformation of individuals is the exception, not the rule. As the Minister told the Committee, the Department has a long way to go before it attains its goal of reforming the greatest possible number of offenders. The complex difficulties involved, along with recommendations for overcoming them, are outlined in detail throughout this report.

1. COSTS AND REVENUES

The Bill

The cost of crime is staggering. Initially

there is property damage in the commission of the offence, in many cases; then the costs of apprehension and arrest by the police; then the costs of the courts; and finally the costs of carrying out the sentence. Under the direction of its terms of reference, the Committee has investigated only these final costs.

During the fiscal year ending last March, the total costs of custody and reformation to Ontario taxpayers was more than \$10,000,000 gross and close to \$7,000,000 net.

The tables in Appendix B contain the figures in detail. In essence, this is what they show as annual costs:

Department of Reform Institutions	\$7,829,172.00
District Jails	492,450.00
County and City Jails	1,560,000.00
(Partial) Gross total cost to	
Taxpayers	<hr/> \$9,881,622.00

To this total should be added about \$200,000 for the amount paid in direct relief to families of those incarcerated, and another \$40,000 paid by the Province in Mothers' Allowances for the wives of incarcerated men. A further amount should be added for probation costs, but this service has grown so rapidly in the past year, and presumably will continue to grow rapidly, that a cost estimate could not possibly

be in proper proportion. If an arbitrary figure of \$100,000 is added -- more than the cost in 1952-53, but much lower than the anticipated cost in future years -- the following ensues:

Gross Annual Total Cost to Taxpayers - \$10,221,622.00
(approximately)

And it must be remembered that this figure represents costs only subsequent to sentencing. It is over and above the costs of apprehension and trial, and of the loss of productive members of society.

For purposes of further calculation, however, the former total is used as representing the direct cost to taxpayers of incarceration. On its basis, it is found that the following figures show the per-inmate costs:

Gross annual average cost per inmate	\$1,997.09
Gross daily average cost per inmate	\$ 5.47

Of the gross total for all inmates, the Department estimates \$2,978,745.15 was returned to public coffers through perquisite charges and sale of inmate-produced goods. Thus the net costs, not allowing for probation, relief or Mothers' Allowances, are as follows:

Net Total Cost to Taxpayers	\$6,902,876.85
Net Annual average cost per inmate	\$ 1,395.10
Net daily average cost per inmate	\$ 3.82

This set of figures can be taken as a conservative indication of what offenders cost the

taxpayers annually after sentencing.

Further breakdowns are contained in the appendices at the end of this Report. Briefly, this is what they show:

Reformatories and Industrial Farms

Gross total cost	\$6,528,194.91
Gross Annual average cost per inmate	\$ 2,312.08
Gross daily average cost per inmate	\$ 6.33
Net total cost	\$3,768,192.21
Net annual average cost per inmate	\$ 1,376.76
Net daily average cost per inmate	\$ 3.77

Ontario Training Schools

(Note: Gross costs exclude the portion of Head Office costs chargeable to training schools)

Gross total cost	\$ 880,193.64
Gross annual average cost per inmate	\$ 1,583.08
Gross daily average cost per inmate	\$ 4.34
Net total cost	\$ 832,831.29
Net annual average cost per inmate to taxpayers	\$ 1,497.89
Net daily average cost per inmate to taxpayers	\$ 4.10
Net total cost to Province	\$1,661,451.19
Net annual cost per inmate to Province	\$ 1,189.66
Net daily cost per inmate to Province	\$ 3.23

Jails

(Note: As with training schools, these costs exclude the portion of Head Office costs that should be chargeable to jail administration)

Total jail cost	\$2,052,450.00
Annual average cost per inmate	\$ 1,240.03
Daily average cost per inmate	\$ 3.49

The Accounting System

It is difficult to determine the exact financial picture presented by the operations of the Department of Reform Institutions. This difficulty is inherent in its very nature as a state-run business. Certain functions which normally would be considered an aspect of the Department's business are either carried out or paid for by other Departments. These include such items and services as auditing, office rentals, office equipment, depreciation of buildings and equipment and provisions for expansion.

Statistics furnished by the Department to the Committee were helpful but did not always present a clear and completely accurate picture. For example, calculations made on the basis of detailed information supplied by the Department indicate the Department's costs for the year ending March, 1953, were in the neighbourhood of \$7,936,178. Official Departmental figures place the amount at \$7,829,172, or about \$107,000 less. This is said to be explained by inventory holdovers.

Costs are somewhat confused by the diversity of sources. Those involved, besides the Department of Reform Institutions, are the Department of the Attorney-General, which pays for Probation, District

Jails, and the Province's share of city and county jail costs; the Department of Public Works, which is charged with new building and major repairs; the Department of Public Welfare, which pays allowances to mothers of long-term inmates; municipalities, which pay relief to families of inmates, and pay a portion of the costs of training school committals; cities and counties, which pay about two-thirds of the cost of local jails; and, of course, the Federal Government which pays penitentiary costs that are not considered at all in this Report.

Operating costs for the district jails are paid by the Department of the Attorney-General and were not available for the fiscal year (1952-53) for which the Committee requested them. However, the Department of Reform Institutions generally experienced about a five percent. rise in operating costs over the year, and it would seem fair to assume district jail costs would rise by roughly the same percentage. This calculation places district jail costs for 1953 at some \$492,450.

Average cost of their maintenance in the eleven Provincial institutions ranged from a low of \$1,281 at Burtch Industrial Farm to a high of \$3,102 per inmate in Guelph Reformatory.

In regard to industrial and farm revenue, the Department hardly does itself justice. Although in no wise do the industrial operations at Guelph, Burwash and other institutions, along with the produce of farm operations, come near to producing enough revenue to finance the institutions, they do produce a considerable amount of revenue. This production is generally sold only to other Departments of Government and its value is accounted for in only nominal figures that are roughly equivalent to wholesale prices.

Granted that no money actually changes hands through these transactions, it is still unfair to the Department to show the value of its production at \$2,465,000 for one year when its true value, calculated in approximate fair market prices, would reach upwards of \$2,780,000 for farm and industrial operations.

While these figures are listed by the Department as revenue, they are not net figures. Costs of industrial equipment, supplies, etc., are figured into the general total for each institution. However, at Departmental figures, industrial and farm production realizes a net profit of \$627,000 annually at book figures or \$942,000 calculated at fair market prices. And there are, of course, no labour costs.

The system of accounting concerning the costs

and revenues of industrial and farm production is such that would be tolerated in no private business and should not be tolerated in a Government Department. In this respect, the Department has to some extent brought upon itself the erroneous public idea that Reform Institutions are a drain on the public purse and nothing else. The purchase of raw materials for industries, the maintenance of machinery, the cost of hiring trades instructors and supervisors for the industries, and even the cost of maintaining the inmate labour employed in each industry should all be taken into account.

Only with such a system of accounting would superintendents, inspectors, and the Department itself be in a position to know whether an industry or farm was being run on a fair and efficient basis.

Perquisites

Accounting of perquisites for staff officers and others is in similar need of revision. A perquisite may be defined as "an incidental advantage of the position held" and should be regarded as such. There is no profit to either the institution or to the officer in allowing him to purchase certain meals at below-cost prices to subsidize a low salary.

The same holds true for allowing staff personnel

to occupy Department-owned housing at a low rental. Rental of staff housing, as well as charges for meals, should always be calculated at a fair rate, rather than at below-cost figures. Charges should be comparable to those paid for similar things elsewhere.

Provision of uniforms for staff personnel is a valuable advantage, but is quite in keeping with common practice in such situations, and should of course be continued.

Recommendations

On the basis of the findings outlined above the Committee recommends:

1. That the accounting system of the Department of Reform Institutions be revised to take into account the market value of goods sold.
2. That charges for perquisites be reviewed and revised when necessary to make them at least cover the cost of the items and preferably be close to market value.

2. HEAD OFFICE

The responsibilities and chain of command among the top-level personnel of the department are in some cases clearly defined, and in other cases somewhat nebulous. A chart supplied the Committee by the Department shows (1) the Deputy Minister directly responsible to the Minister; (2) under him, the Director of Rehabilitation and the Executive Assistant to the Deputy Minister; (3) under them, the ten heads of divisions--Chief Accountant Superintendent of Construction, Dietician, Farms Administrator, Chief Inspector, Office Manager, Chief Parole and Rehabilitation Officer, Chief Psychologist, Chief Purchasing Officer and Statistician; and (4) classified as "specials", a consultant and the Chairman of the Board of Parole.

The Deputy Minister of the Department impressed the Committee as being eminently capable with a fine grasp of the detailed operation of the Department. In addition to being an excellent administrator he has demonstrated that he can handle emergencies in specific institutions with alacrity and effectiveness. By experience and ability, he is well equipped to perform the Deputy Minister's functions of carrying out Departmental policies and supervising day-to-day operations.

It is a sensible tradition in Government that

the chain of command within a department should be as clear-cut as practicable through the various levels of personnel from the newest employee up to the deputy minister, and through the deputy minister to the minister. For the deputy minister to function with the utmost efficiency he must be firmly recognizes in his traditional position of command, and each staff member on every level must know where his own responsibility lies.

The Committee heard evidence that indicated definite weaknesses in the chain of command within the Department of Reform Institutions. The field of penology contains a number of divergent theories on the most effective methods of custody and reform. It therefore is to be expected that the Deputy Minister, as well as other executives, should continually encounter varying viewpoints that must be sorted out and consolidated. But this task should not be further complicated by confusion in the chain of command. The Committee found that such confusion does exist near the top, and is reflected in many aspects of the Department's program. To clarify the situation, steps should be taken to define more accurately the exact responsibility of executive personnel and , even more important, to define the chain of command so clearly that there can be no misunderstanding. It must be added that the Committee disapproves of the

policy of retaining superannuated persons in executive positions as advisors, no matter how capable and well-qualified they may be, because such a policy tends to aggravate confusion and uncertainty.

The responsibilities of each of the Head Office executives are outlined below:

The Director of Rehabilitation is in charge of all phases of the rehabilitation program, including treatment of alcoholics, and of psychological work and academic and vocational training in institutions. He also serves as public relations officer for the Department, addressing organizations throughout the Province on its work and its aims.

The Executive Assistant to the Deputy Minister, in addition to rendering the general assistance implied in his title, has charge of the Staff Training School. He visits Institutions to discuss problems with their administrators and is empowered to make decisions on behalf of the Deputy Minister during such visits. He is on call to take charge of an Institution in an emergency if necessary.

The Chief Psychologist supervises all psychological services. He interviews all applicants for psychological positions and advises the Department on all matters relating to the psychological work. In

addition, he is expected to carry out personal examinations of the more difficult inmate cases.

In view of the vital function that must be performed by psychology in an effective program of reform, the Committee was disappointed to learn that the position of Chief Psychologist was not given sufficient prominence. A much more adequate salary should be paid the man holding this post, and he should be given more trained staff and relieved of some of his more routine duties. It should be emphasized that the responsibilities of the Chief Psychologist will become much heavier when an extensive Reception Centre is introduced, as recommended in this Report. The Chief Psychologist should be consulted fully in the organization of such a centre, and he should be prepared to give expert overall direction and co-ordination to all facets of an expanded psychological program.

The Farms Administrator is charged with general organization and supervision of farming operations at the various institutions, the keeping of records, long-range planning and other matters involved in farm production. His position in relation to the farm supervisors at the institutions is that of advisor. The Superintendent of each institution has control over agricultural activities on his property, and the Farms

Administrator makes suggestions that can be vetoed by the Superintendent. Although no dead-lock has occurred since the post of Administrator was created a year ago, the theory is that any such dead-lock would be referred for decision to the Deputy Minister.

Here is another situation for which the chain of command must be clearly defined. The Committee found that some of the Farm Supervisors were not sure to whom they were responsible, and whose orders they should follow. In addition, the Farms Administrator himself was not yet certain of the extent of his powers and responsibilities. If this post is to be retained it is imperative that it be clarified, since the duties will grow in complexity with the addition of more industrial farms as recommended in this Report. The Farms Administrator can perform a valuable function through close liaison with the Ontario Agricultural College that enables him to advise local Farm Supervisors on scientific matters and techniques for maximum productivity.

The Statistician is responsible for the collection, consolidation and compilation of statistics concerning the operation of the Department. His present staff is small. The Committee found that records on a number of important matters either were not available

or could be obtained only with great difficulty. In the former category, for example, are the progress of training school "graduates" after reaching the age of 18 - a record essential to an assessment of the success of the Training School program - and exact figures on repeaters and recidivism; in the latter category are figures on lock-up prisoners held in jails. The Minister shares the Committee's dissatisfaction with the exactness and thoroughness of the Department's statistics.

One factor contributing to this statistical weakness is obviously the multiplicity of control that deprives the Department, in practice, of some of its authority over the recording procedures of county jails. This obstacle will be overcome when the Department assumes single unit control of all jails, as recommended in this Report. Another factor is the shortage of trained staff at the disposal of the Statistician. Exact records are so essential to an evaluation of methods of reformation, and of the progress of the Department generally, that the Statistician should be given immediately the additional staff and facilities required to elevate the statistical division to the proper level of thoroughness and accuracy.

The Dietician is a post newly created in this

Department. The Committee was told that the person appointed to the position has made a good start at improving the efficiency of cooks and the adequacy of diets. The Committee believes, however, that she should have much closer supervision of diets in all custodial institutions, including jails. While the Superintendent or Governor should have control over the food in his own institution, the startling variation in the cost of food in institutions across the Province (outlined in some detail below) proves that it is imperative to have strong and efficient co-ordination and overall supervision.

The Supervisor of Construction is liaison officer with the Department of Public Works in new building, additions, and major repairs undertaken by that Department, and is in charge of routine repairs and maintenance carried out by the Department of Reform Institutions itself. As outlined in the Property Section, liaison with the Department of Public Works is not sufficiently close to uphold the best interests of the Department of Reform Institutions. The Supervisor of Construction should be the key man in establishing closer liaison and should be consulted fully concerning the employment of more inmate labour on work projects at institutions.

The Chief Purchasing Officer is in charge of all major purchases and, where necessary, also supervises some of the purchasing for individual institutions. The division of purchasing responsibilities between this officer and the Superintendents seems to be working out satisfactorily, with the Superintendents retaining as much authority as is practicable.

The Office Manager supervises the clerical and filing operations of the head office, signs authorities for transfer of prisoners, and maintains overall direction of the assignment of clerical and filing personnel throughout the Department. He also assists the senior executives of the Department in miscellaneous matters.

The Chief Accountant supervises accounting for the Department generally, and for the Board of Parole and the Mercer Reformatory. He collects and authorises Departmental expenditures, prepares financial reports, some payrolls and the data for the public accounts. He also supervises accounts relating to district jails and all Departmental inventories.

The Chief Inspector is responsible for organization and direction of the inspection of all reformatories, industrial farms, training schools and jails, including investigations of escapes, disturbances and other special

problems. He is in general charge of the transfer of prisoners from jails to other institutions after sentencing. He directs on-the-spot liaison with sheriffs and city and county countils, and generally supervises all aspects of Departmental control over city and county jails.

The defects of existing liaison and control involving city and county jails are outlined in the section dealing with Jails (Chapter IV). These defects are extremely serious, obstructing any hope for an effective reformative program in the jails, but it is unlikely that they can be corrected under existing multiplicity of control.

The Committee was dissatisfied with the efficiency of many aspects of the inspectoral system as a whole, as detailed subsequently in this chapter.

The Chief Parole and Rehabilitation Officer organizes and directs the work of the Parole office, compiles reports on parolees and provides the Parole Board with information on prisoners as they become eligible for parole. He also supervises the Department's staff of Parole and Rehabilitation Officers. The Committee is dissatisfied with many aspects of the operation of the parole and rehabilitation service as outlined in detail in the section of this Report dealing

with probation, parole and rehabilitation (Chapter VII).

3. GENERAL POLICIES

The basic policy for the operation of a system of Reform Institutions in this Province must be one that aims at the effective reform and return to society of the greatest possible number of offenders, coupled with the preventive detention of all others who--following the most intensive classification and examination procedures--are clearly demonstrated to be a menace to society. The Committee believes the Department does try to operate on this basis. Unfortunately in practice, the policy has not achieved anything approaching its maximum effectiveness.

While much of this Report consists of an examination of Departmental policies involving a wide range of operation - such as reformation generally, parole and rehabilitation, properties, specific types of institution, various facets of inmate treatment, custodial methods, classification and industry - certain other aspects of policy should be specifically mentioned here.

(a) Nomenclature - The Department operates four "reformatories" but the high-sounding title is a misnomer for three of them. The Brampton Institution

for youths is the only one that is successfully reforming its inmates, and consequently it is the only institution in the provincial system truly deserving the name "reformatory". However, an unfortunate connotation now is attached to the word in the public mind, and Brampton should in name, as well as in function, be distinguished from the institutions at Guelph, Mimico, and the Mercer. Its special function will continue even when reformative programmes are improved in the other institutions. Therefore Brampton, which resembles a training school more than it resembles the other so-called reformatories, should be re-named.

On the other hand, it is recommended elsewhere in this report that confirmed recidivists be sent to Burwash. The title of "Industrial Farm" is not in keeping with such a function. To emphasize that Burwash will be a place of hard work and detention as distinguished from other institutions at which reformative efforts will be the core of the programme, the name should be changed to Burwash Provincial Prison.

(b) Transfer of prisoners - Expenses for transfer of prisoners from one institution to another in the last fiscal year totalled \$52,839.14. Most of this amount was for transfer of prisoners from jails to reformatories and industrial farms after sentencing.

Three bailiffs are employed to supervise these transfers under direction of the Chief Inspector. Bailiffs pick up prisoners at the jails and escort them to their destinations. The majority of transfers are by rail, with rail fares accounting for most of the cost. In many cases, too, the Department hires an individual car, and pays the owner at a rate equivalent to that of transporting by rail, including taxis from station to institution. The cost of this car for the past year was \$10,000.

The Committee strongly supports the Department in its consideration of purchasing a large vehicle, such as a bus, probably to be based at Mimico, for transportation of some prisoners. Costs should be studied carefully to ascertain whether the expense of existing methods could be cut further by extensive use of Departmental vehicles.

Governors of several jails complained that prisoners sometimes had to be held more than a week after conviction before a bailiff arrived to transfer them to Reformatories or Industrial Farms. Departmental officials maintain, however, that the process could be speeded up only at considerable added expense. The Department should continue to lay the greatest possible stress on rapid transfer since it is unfair to jails

that any prisoner should stay for more than a few days after he becomes due for transfer.

(c) Food - The food question is a vital one in all custodial institutions. The importance of good food becomes magnified among persons who are being held against their will, told what time they shall get up and go to bed, and forced to obey orders as to how they shall spend every waking minute. A degree of comparison with military life is obvious. The saying that an army travels on its stomach could be adapted with equal truth to an inmate population. It is human nature that persons held in custody, deprived of the liberty they normally enjoy, are quick to rebel against authority for any cause they consider valid. Practical penologists agree that food and warmth are the two provisions whose inadequacy can most rapidly ferment discontent among inmates. It is in the interests of security and efficient custody that food should be good, and the Department is to be commended for its recognition of this fact. Inadequate diet, besides aggravating the possibility of disturbances, could cause embitterment that in many cases would block efforts at reformation. The bread-and-water days of the old prisons are long past.

Food for inmates therefore should be sufficient, and in accord with their work or exercise, but it should

not be better or more varied than the normal fare of the average family. By this criterion, if Ontario's institutions err, they do so on the side of generosity. Inmates are well fed. They do not suffer from dietary insufficiency. Their food, generally, is adequate in quantity, wholesome and well-prepared, although in some jails where there is no qualified cook it is somewhat lacking in variety and preparation.

The Committee was surprised, however, at the great disparity in food costs among the various institutions, and especially (1) among jails, and (2) between most jails and most Reformatories and Industrial Farms. (See Appendix "C".)

One jail served extremely plain fare that might have lacked sufficiency at a daily cost per inmate of nearly 50 cents. Another jail, similar in geographic and economic location, served food of much better quality and variety at the extremely low cost of 29 cents daily. In some other county and city jails the per diem cost was upwards of 63 and 64 cents. The average cost is about 43 cents in jails throughout the Province.

District jails exhibit even more puzzling disparities in costs. Sudbury jail, not far removed from Sault Ste. Marie, registered per diem costs of 34 cents while the cost at the latter jail was 45 cents.

Fort Frances costs ran to 69 cents. The cost at Kenora Jail was 66 cents, while at Port Arthur it was only 31 cents.

Costs per day in the reformatories and industrial farms, exclusive of the Andrew Mercer Reformatory, range from 64 cents at Guelph to 80 and 81 cents for Mimico and Burtch institutions and \$1.02 at Burwash.

Mercer Reformatory offers a palatable and nourishing fare at a cost of only 52 cents daily. Galt Training School's costs are 70 cents daily.

The obvious difference in the cost of meals in reformatories and industrial farms compared with that in jails might raise some question. Part of the difference is attributable, of course, to the heavier work done in the former institutions compared with the relatively idle life that jail inmates lead. But part of it is attributable to a general dietary level in reformatories and industrial farms that tends to be slightly too high, and a level in jails that tends to be slightly too low. Clearly much closer supervision over diets is needed. Such supervision should be maintained by the Department's Dietician. In addition, doctors at each institution should check over menus more carefully.

The employees in charge of food preparation should be competent and conscientious and should be

certified by a doctor as to physical fitness and cleanliness. As pointed out in the section on Jails (Chapter IV), the practice of leaving the responsibility to an inmate cannot be condoned under any circumstances.

(d) Clothing - The Committee found that much the same situation exists for clothing as for food. Inmates are adequately clothed but two questions must be considered: Are they too expensively clothed, especially in Training Schools? Is there any justification for the disparity in clothing costs from institution to institution?

As with food, the aim for clothing must be adequacy without excess. This aim is carried out satisfactorily in adult institutions, but in the three Provincial training schools there is cause for doubt.

At the Ontario Training School, Galt, an average of \$201.01 is paid each year for clothing for each girl. This figure includes \$144.52 for clothing during a girl's stay in the school - an average of eleven months - and \$56.49 for clothing issued her on discharge. Officials at the school point out that most girls have practically no clothing when they arrive and have to be completely outfitted; that it is in the interests of effective reformation that they be well dressed; that it is essential to successful rehabilitation

that they go out into the community , on discharge, with proper clothing so that they will be much the same in appearance as other youngsters. Nevertheless, the average taxpayer must wonder at such costs and make comparisons with the amount he can afford to spend on clothes for his own family, especially when he realizes that the clothes for Galt girls are purchased at wholesale or special prices. While the Committee is most anxious not to interfere in any way with policies that are conducive to reformation, and are, therefore, economical in the long run, there can be no doubt that clothing costs at Galt are altogether too high. It should be noted that the cost of clothing children in foster homes, admittedly lessened by the use of hand-me-downs from older children in the families, is about \$70:00 annually.

The average cost of clothing issues at the Ontario Training School, Cobourg, is given by officials at the institution as \$113.01; and at the Ontario Training School, Bowmanville, as \$145.36. These schools appear to make proper use of such acceptable cost-saving methods as re-issuing clothing until it is worn out.

The factors involved in clothing issues pertain to the general policies and practices of trying to

rescue juveniles from a life of wrong-doing, and they are outlined in the section of this Report dealing with Juveniles. It is clear, however, that two steps should be taken to ensure that clothing costs do not become excessive as compared to those for average children not in institutions. There should be greater effort to have some of the clothing made in the institutions--and this is especially true of Galt; and there should be closer overall supervision of clothing purchases.

Of the adult institutions, the Andrew Mercer Reformatory has one of the lowest annual per inmate clothing costs (\$29.44), largely because considerable inmate clothing is made by the inmates themselves. There are wide variations in clothing costs at other institutions beyond any logical reasons. They are as follows: Guelph \$65.05, Mimico \$51.37, Burwash \$83.14, Rideau \$25.03, Monteith \$56.73, Burtch \$27.17 and Brampton \$84.91.

It is clear that there should be closer overall supervision of clothing purchases in these institutions, and as much clothing as is practicable should be manufactured by the inmates.

The clothes issued in adult institutions has been criticized in some quarters for its lack of dis-

tinguishing appearance. The committee disagrees with such criticism. While denim work clothes are similar to the garb of free workmen and may hinder detection of escaped prisoners on occasion, they serve the purpose of reformation well and should not be replaced by more distinctive clothing such as the striped suits employed at one time in some jurisdictions.

Inspectors - The Department has seven inspectors, including one woman, working under the direction of the Chief Inspector. They make periodic inspections of all Provincial custodial institutions. They spend a day or two at each jail at least once every three months, and inspect reformatories, industrial farms and training schools more frequently and at greater length. In addition, they make special investigations of disturbances.

While some of the inspectors are considered to have more detailed knowledge than others on certain matters, only two are considered to be specialists - one in matters of security and one, a woman appointed last fall, in matters involving female inmates.

Inspections of institutions controlled solely by the Department appear to be adequate and thorough. But inspections of city and county jails leave much to be desired. An examination of the results of such

inspections, including the omissions, leaves a question as to how the inspectors spend their time at the jails. This question has never been answered to the complete satisfaction of the Committee. The inspectors check books, committal papers and the general cleanliness, administration and security measures of jails. In the memory of Departmental officials, inspectors never have recommended such obvious requirements as gang locks, night fire drills and utilization of guard-cooks rather than inmate-cooks.

The procedure of inspectors in suggesting improvements falls into two categories: when there is a defect that plainly needs immediate correction, they make a recommendation - in effect, an order - on the spot; and when there are less urgent or more complicated defects that inspectors think should be corrected, they first confer with the governor, then report to the Chief Inspector for his decision on whether an official recommendation should be made. When a recommendation would require expenditure to be carried out, it goes to the responsible local council. In theory such procedure is sound, and it does work out in practice to the degree that there is the minimum of interference with, and dictation to, the local governors who have detailed knowledge of their own operations.

It was explained to the Committee that the inspectors failed to recommend some of the obvious changes that should be made because they felt the expense would be too great to get the approval of city and county councils. Here is another example of the weakness of multiple jail control. Departmental officials say the co-operation of councils in carrying out recommendations for the improvement of jails has been good, but it is obvious that inspectors have been carefully screening their recommendations so that those they do make will have a good chance of meeting with co-operation. Such screening is a concession to civic political considerations that should not be tolerated. Although it is claimed that such concessions are in the best interests of the smoothest possible operation of the jail system, the Committee strongly disapproves any considerations that are not aimed at the maximum success of the reformative program. Inspectors should recommend what should be done, regardless of the effect their recommendations might have on councils. The policy of not recommending officially all necessary changes is indefensible as a matter of principle. At any rate, decisions of this nature should involve high-level policy having nothing whatever to do with the inspectors.

In view of the dubious effectiveness of the inspectoral staff, the number of inspectors and the total cost of inspection work (upwards of \$35,000 annually) must be questioned. The Province is not getting its full money's worth at the present time. Both numbers and cost would be fully justifiable, however, if the inspectors performed their valuable function with more thoroughness and objectivity.

The Committee commends the specialization within the inspection branch, as far as it has gone. It is desirable to have a specialist in security and another for matters affecting female inmates. But further specialization should be instituted to ensure the maximum efficiency. One basis for specialization certainly should be in regard to small county jails as differentiated from large jails.

5. PERSONNEL IN INSTITUTIONS

General.

Custody and reformation are not impersonal things that can be carried out automatically or by formula. They are as personal and as complex as human nature itself. Better buildings may be built and better methods devised, but all will be to no avail unless the individual men and women on the staffs succeed in gaining the confidence, respect and co-operation of the individual inmates. The human factor is extremely important to efficient custody and nothing less than vital to successful reformation. A syllabus for reformation can be more or less effective according to its inherent soundness but it cannot possibly rise above the level of its personnel. That level, therefore, must be high. All personnel dealing directly with inmates must, first, be deeply interested in their tasks; and, second, be equipped by intelligence, training, personality and experience to perform those tasks well. They must have an enthusiasm in the future possibilities of every inmate with whom they come in contact. In attitude they must steer the difficult path of common sense between the two extremes of the mollycoddler and the tyrant.

Since so much depends on the calibre of institutional staffs, the Committee has examined carefully the factors involved in their selection, training, effectiveness and treatment.

Institutional personnel fall into three groups -- senior officers, professionally-trained persons and guards. They are discussed in detail under separate headings below.

The Committee was pleased to find an almost uniformly high standard of senior officers and professionally-trained persons in Ontario's institutions, as well as a great many excellent or promising guards. But there is a serious and basic deficiency in staffs, especially in the ranks. They lack experience. Guards come and go much too rapidly to permit the maximum effectiveness of a reformative program. A large portion of the personnel who have close daily contact with inmates is continually changing, as emphasized by figures showing that a turnover of up to 50 percent. annually is common in some custodial institutions.

Certain problems involve all three groups. A major one is salaries, which are too low to attract and hold enough good personnel. Guards and professional persons are particularly ill paid, and it is

not surprising that many of them work in institutions for only a few months before moving on to better-paid positions in other fields of endeavour. It is the exception rather than the rule to find recruits who are willing to make a career of their work. The Committee is convinced that the type of employees who are capable of carrying out effective custody and reformation require qualities that should command much more adequate salaries. So long as such salaries are not paid there will continue to be a scarcity of the high-calibre personnel on whom depends the success of the whole system.

Another problem affecting all groups of employees is the lack of sympathy between the custodial and reformative points of view. These points of view are compatible and must go hand-in-hand in an effective program. Yet there are too many professional persons who are reluctant to make any concessions at all to essential factors of custody, and too many guards and other non-professional employees who adopt an overly stern, unbending, strictly "custodial" attitude and scoff at reformative efforts. It is to the credit of superintendents and other senior officers that conflict between these viewpoints has been kept to a minimum, but the conflict can only be reconciled permanently by

inauguration of a program of extensive, well-rounded in-service training for personnel of all groups.

A preliminary step toward better meshing of gears would be installation of card indexes on the inmates in each corridor, detailing their individual records, histories and backgrounds. Too often the guards are told only the inmates' names, ages, crimes and sentences. They are not provided with the supplementary data that plays such a large part in reformation and professional treatment. Such a card index system should be instituted as soon as possible, and guards should be given the greatest possible encouragement to familiarize themselves with the information and to consult, formally or informally, with the professional personnel about the details.

Still another step toward closer coordination should be the holding of regular staff conferences to talk over the problems of handling inmates, both generally and in specific cases, from the different points of view. Such staff conferences, to the extent desirable, are non-existent at the present time.

Senior Personnel.

The senior officers in Ontario's custodial institutions deserve high praise. They display an interest in their work that in many cases extends far beyond their technical responsibilities, and they try hard to do a conscientious, carefully-disciplined job which aims at the best possible administration of the institution, proper custody and the reformation of the inmates. They are objective and just when inmates are brought before them for disciplining, giving fair hearings and fair punishment to the best of their ability. Junior personnel and the inmate populations generally hold the senior officials in high regard. Favoritism and pampering are notably absent.

The senior officers are sincerely concerned for the welfare of their men and of the inmates in their charge. Deficiencies in the reformatory system cannot be blamed on them, and only rarely do they make errors of judgment in day-to-day operation.

However, the Department would be well advised to do their senior officers the courtesy of prior consultation whenever promotions, additions or retirements affecting their staffs are considered. Although it is the Department's policy to do so, the

Committee learned of one major failure to carry out the policy, and hard feelings and administrative difficulties were the result.

It would seem logical that senior personnel, in co-operation with Head Office, would have a confirmed establishment of the number of personnel necessary for efficient operation. Such is not the case. At the Ontario Reformatory, Guelph, the Committee encountered drastic differences of opinion as to the minimum staff required. This sort of confusion could lead to serious difficulties of both security and administration. The situation should be rectified at once by agreement on minimum establishments at all reformatories and industrial farms.

Professional Personnel

Custodial institutions no longer are merely places with bars where offenders against the law are "put away". Instead of holding persons in custody and nothing more, they are intended to attempt the complex and difficult task of reformation. As the importance of reformation has grown, so has the importance of professionally-trained persons on institutional staffs. Their pool of knowledge, in the social as well as the physical sciences, is an

indispensable part of the reformatory program.

Psychologists and psychiatrists, as students of the human mind, have a particularly important role. The factors leading to crime are deep-rooted and varied, and for a great many inmates these factors can best be diagnosed and treated by those whose training equips them to study and assess such intangible things as attitudes and personality. Yet no Provincial institution has a full-time psychiatrist and only four institutions, three adult and one juvenile, have part-time psychiatric services. There are full-time psychologists at five institutions, four adult and one juvenile. Salaries for the part-time psychiatrists range from \$1,800 to \$4,000; for the psychologists from \$2,840 to \$3,600. At such wages it is not surprising that few able psychologists wish to stay for long in the employ of the Department of Reform Institutions. The Department tends to attract mainly junior psychologists who move on to more lucrative fields after gaining experience. Before the reformatory program can have any hope of reaching its maximum effectiveness, the number of institutional personnel from these two professions must be considerably increased and their salaries must be raised to a level more comparable to those they could command elsewhere.

Doctors and dentists, besides their routine duties, have the responsibility of spotting and helping to cure those basic causes of criminal inclination that arise from physical disability or other physical factors. It is regrettable that, except at Burwash, there are no full-time doctors at Provincial institutions; and except for Burwash and Guelph, no full-time dentists. This fact makes malingering more likely at many institutions, since the doctor has insufficient time to investigate an inmate's supposed troubles thoroughly and decide on their seriousness. One departmental official commented that repeaters who want to avoid work "know all the symptoms" and it is quite possible that able-bodied men might contrive to get a doctor's certificate of inability to work although a more thorough examination would have disclosed otherwise.

The doctors at Guelph and Burwash have a maximum salary of \$6,000, the dentist at Burwash a maximum of \$5,000. Part-time doctors are paid from \$1,200 to \$1,500, and part-time dentists \$15 per half-day. As with psychiatrists and psychologists, such payments do not compare favourably with payment for similar services elsewhere. The part-time arrangements are particularly bad. Besides the fact that

doctors and dentists are given professional fees that would seem somewhat presumptive on their goodwill and sense of duty, they have limited time for institutional examinations and at most institutions have to work with limited facilities. Doctors and dentists are rendering excellent service in view of the many adverse factors, but it is obvious that these factors should be corrected.

Doctors and dentists should be hired on a full-time basis wherever possible, and their pay should be more adequate. Full-time services certainly should be arranged for the benefit of all four reformatories and the Industrial Farm, Burwash.

Both efficiency and economy would be served if, in areas where no institution is large enough to justify the full-time services of a doctor or dentist, they were assigned to a group of three or four institutions. For example, a suitably-based doctor hired full-time could serve the Industrial Farm at Burtch, the Reformatory at Brampton and the Training School at Galt. In event of emergencies a local doctor could be called in.

At the present time it would not appear to be feasible to establish full-time medical and dental services in most jails because of small inmate

populations and considerable distances between them. When the Department of Reform Institutions assumes control of city and county jails as recommended in this report, however, suitable provisions could and should be made to establish fuller medical and dental services.

Chaplains are on a part-time basis, an arrangement that does not permit the optimum contribution of their valuable services to the reformative process. Their work and its benefits are outlined fully in Chapter VI under "Spiritual Guidance."

Teachers, both academic and vocational, try to prepare inmates for rehabilitation to normal law-abiding lives on their return to society. They impart knowledge and training to overcome basic deficiencies and, in a broader sense, they try to help stimulate the inmates' thinking to wider, sounder concepts. Salary ranges for academic teachers are from \$1,940 to \$3,300, and for trade instructors from \$2,140 to \$3,600. Head teachers (at Guelph and Burwash) can reach a maximum of \$3,900. While their responsibilities and aims are intricate and difficult of realization, the salaries offered are not high enough to encourage well-qualified persons to stay on the job long enough to accumulate the experience needed

for effectiveness. As with previously mentioned professions, the salaries for academic and vocational teachers should be raised to a level comparable to salaries elsewhere for the same professional endeavour.

Information supplied by the Department showed that counsellors are employed only at Guelph, Burwash and the Training School at Galt. This indicates a very serious gap in professionally-trained personnel. While a counsellor need not have training in psychology or sociology to be effective, such training would be helpful when combined with the suitable attitudes, interests and personality. Counsellors' salary range is from \$2,140 to \$2,940 -- certainly not sufficient to be attractive to highly qualified persons. In the interests of reformation there should be counsellors at all institutions and their salaries should be commensurate with the intricacy and importance of their duties.

Guards

The traditional and basic duty of guards is custodial. They see that the inmates follow institutional rules, obey orders and are kept in secure custody. At one time that was all they were expected to do because the whole purpose of institutions was to punish offenders by segregating them from society and making them work. Now, with reformation superimposed on these purposes, the function of guards has become more complex.

Guards are the only staff members who are in close and continuous contact with all the inmates all the time. Generally, they have the greatest influence on inmates, for good or for bad, of any group of personnel. A guard who is disinterested, embittered or otherwise incapable of commanding respect and co-operation, is likely to cause discontent among inmates and thus to place in jeopardy both efficient custody and effective reformation. On the other hand, a guard who does command respect and co-operation engenders a good initial attitude in the inmates that is an invaluable asset to the institutional program. The ideal guard is one who is bent on making a career of his work, who carries out his duties with meticulous care, who neither toadies to his charges nor is disrespectful to his superiors behind their backs. He is fully aware of the importance, the methods and the aims of both custody and reformation. In a practical way he is a combined teacher-psychologist-counsellor as well as a custodial officer.

To possess such qualities a guard must be intelligent and able. To put them into effect to the credit of his institution he also must be experienced. The lack of experience of a disproportionate number of guards constitutes a very serious obstacle to proper operation of Ontario's reform institutions. Too few guards are professionals making a career of their work and too many are, in effect, casual laborers who regard their service as just another job. Consequently, the turnover of guards is extremely heavy.

During the seven-year period ending March 31, 1953, guard turnover in Ontario's institutions for adults (excluding jails) was no less than 260 per cent. The Department lost 1,627 guards, almost all through voluntary resignation. Those who resigned had been on the job an average of only 10½ months.

The following rough percentages show the changes in personnel, mostly guards, during the fiscal year 1952-53:

Guelph Reformatory	- 60 per cent
Mimico Reformatory	- 43 per cent
Burwash Industrial Farm	- 26 per cent
Rideau Industrial Farm	- 12.5 per cent
Monteith Industrial Farm	- 30 per cent
Burtch Industrial Farm	- 35 per cent
Brampton Industrial Farm	- 66 per cent.

Lack of a sufficient number of employees to provide adequate supervision for security, to say nothing of reformation and rehabilitation, was found at

some institutions. On one visit to Guelph Reformatory the Committee learned that the total of 158 custodial officers was 32 short of the number considered by the superintendent to be necessary.

There can be no doubt of the main reason for staff turnover and shortages. It is low salaries. Other reasons include long hours, lack of adequate incentive and the hazardous and somewhat unattractive nature of the work.

In the testimony of the guards, no one subject was mentioned with more frequency and emphasis than that of salaries. There can be no doubt that guards' remuneration is not attractive enough to interest many personnel of the calibre desired. More adequate salaries are necessary to obtain such personnel and to keep them contented, with the qualification that salaries should never become excessive and so attract those whose main concern is money. (Past and present scales of pay indicate that there is no danger of such excesses.) Salaries should be high enough that guards can afford a living scale of modest comfort for themselves and their families. And they certainly should be high enough to enable the Department to select its personnel carefully and with discretion, instead of being forced into a position of having to take almost anyone who applies.

The position of guard, in itself, is a difficult one. It involves more mental strain and responsibility than many other types of work. The

number of applicants who are eager to make a career of custodial and reformative duties despite low pay is small and will continue to be small. Low salaries and difficult work form a combination that inevitably results in high turnover.

Under the existing salary scale, a recruit starts at \$2240 plus \$120 cost-of-living bonus and goes up by four semi-automatic yearly increments of \$100 each to the guards' maximum of \$2640 plus \$120. Thus a guard in his first year of service draws a gross monthly salary of \$196.66. From this are deducted \$9.70 for retirement fund, \$19.10 for income tax (single, no dependents), \$2.08 for unemployment insurance and \$4.00 for uniform deduction. His take-home pay is \$181.78, or a little less than \$39 a week. After four years of service, it rises to about \$45 a week. A married man with dependents, paying less income tax, takes home only a few dollars a week more.

Perquisites offer limited additional advantages in such forms as cheap meals and, in some places, low-rental housing. But perquisites vary in different institutions and, at any rate, they are a flimsy and unconvincing substitute for higher salaries.

Another additional advantage is the opportunity to participate in a fairly liberal pension plan. This, too, is no real substitute. A guard, especially a young one, gains little consolation for the meagre amount on his pay cheque through the thought that in 30 or 40 years he will receive a pension. The attractiveness of

a Government pension has declined in recent years as many private industries have instituted good pension plans.

To obtain and keep guards who will consistently be a credit to the system, and who will make their work a career, the salary should be high enough to (1) provide an adequate living and (2) provide a fair return for the hazards and difficulties of the work.

It is interesting to note how guards' salaries in Ontario compare with salaries for corresponding work elsewhere in Canada and in bordering states of the U.S. Following are first-year guards' salaries, taken to the nearest dollar:

Ontario	\$197.
Ohio	276.
Michigan	261.
New York	284.
Pennsylvania	273.
British Columbia	210.
Alberta	225.

Some other states, particularly in the Southern U.S., and some over provinces pay below the Ontario figures.

Irrespective of salaries, the working hours of Ontario guards are not satisfactory. They work a 48-hour week compared to 44 and 40 hours in most outside businesses and industries. Clerical employees in the institutions themselves work a 40-hour week.

For guards, aggravating factors are the need

to work overtime without compensation when seeking escapees and, in some cases, the need to work inconvenient night shifts. At Guelph, for example, shifts start at 8 a.m., 11.45 a.m., 5.45 p.m. and 3.14 a.m. (although Burwash, similar in size, has only three shifts starting at about 7.45 a.m., 5.15 p.m. and 12.45 a.m.)

An old theory of prison administration still governs the overtime work of looking for escapees, or "runaways" as they are called in the open institutions. That theory was that no one escaped except through the negligence of a guard, and it kept all guards alert to know that they would have to work overtime if they let a prisoner get away. Two of the obvious flaws in the theory are that it results in unpaid overtime for many guards besides the one who may have been responsible for the escape, and it assumes that no good guard will ever make a mistake -- an assumption that is mistaken for any human being and is particularly presumptuous for low-paid guards. The Committee sympathizes with the feeling expressed by some guards that, having regard to their low salaries, the overtime requirement adds insult to injury.

Forced overtime without any form of compensation is a bad principle. A fair and sufficient deterrent is the knowledge that flagrant laxity or misconduct will bring disciplinary action, possibly even dismissal. In the interests of fairness and staff morale, guards should be properly compensated for any overtime they may be called upon to work.

Another step toward raising the level of guards' status should be a system of promotion laying greater stress on merit than is now the practice. The Committee approves the Department's recent action in adding more corporal's posts to its complement so that guards could be promoted from the ranks and receive higher pay when they assumed great responsibilities. But the inferior guard still rises at the same rate as the superior guard to the maximum for that position. Only rarely, when there were serious marks against a man's record, has the \$100 annual increment been withheld.

A much sounder system for guards would be to require proof ability, as well as experience, before an increment is granted. Such a system would compare with that employed by some police forces and private industries. A recruit might start as Guard, Fourth Grade, and advance by stages to Guard, First Grade, through experience and obvious ability plus examination.

Recognition should be given to particularly meritorious service by guards and officers and to long and faithful service. At present, there is no provision for either. Such recognition, set up on an equitable basis, could be expected to add to staff morale. Awards could be in the form of merit mark chevrons to be worn on uniforms.

Staff Training

Before a recruit is allowed to participate in the complicated processes of custody and reformation,

he not only should be carefully screened and checked for proper qualifications, but also should have adequate pre-service training. This is the professed policy of the Department. Unfortunately, the tremendous turnover among personnel makes it necessary for guards to be taken on for immediate duty at some institutions.

With such exceptions, the Department gives every recruit a six-week training course at the Staff Training School at Guelph Reformatory before placing him on a custodial staff. The course itself is satisfactory, giving new guards the basic knowledge they need and an insight into the broad aims of the system. The Department deserves commendation for establishing this course.

But basic training is not enough. Refresher courses and advanced courses should be given to experienced personnel. This type of training is not now available, although the Department has taken one step in the right direction by sending some senior officers to university courses in such things as sociology. The Department has considered starting a training program for senior personnel but has never done so, largely because of the complications of heavy staff turnover.

As pointed out above, one of the aims of in-service training should be to consolidate, in the thinking of individual staff members, the interlocking needs and values of custody and of reformation.

Staff Housing

Housing difficulties are an important contributing factor in the problems of turnover and

inexperienced personnel. In growing industrial centres, the rents are high and many guards find that they cannot afford suitable accommodation for themselves and their families. The Committee learned that promising and interested guards have regretfully left the service for this reason. If these guards had been able to obtain suitable housing at a reasonable rental close by the institution they probably would have stayed in the service even though their salaries were below the prevailing level in the district.

The housing problem is a thorny one. While the Committee dislikes the principle of setting up the Department of Reform Institutions as a landlord to a great many of its employees, steps must be taken to ease housing problems in order to make it possible for the Department to discharge fully its responsibility of building up the best possible institutional staffs.

At present, as detailed in the Property section of this Report, the Department provides housing for all employees at Burwash Industrial Farm and provides some housing, especially for single men, in other institutions. The main drawback to the existing housing arrangement is its inequality -- if a guard is able to live in a staff dwelling, he pays a much lower rent than if he has to live elsewhere. Inequality is particularly noticeable at the institutions at Guelph and Burtch, located in areas where housing costs are high because of expansion and high wage levels.

Burwash is in an isolated location, 30 miles

from Sudbury. The Department achieved a satisfactory temporary solution to the unique problem there by building houses and apartments for all married personnel (utilizing inmate labor) and accommodating all single officers in staff dormitories. There could have been no other solution, since Sudbury is too far distant for commuting, especially in winter. The Committee favors replacement of temporary housing at Burwash with permanent structures, and favors adjusting of rents in line with a general adjustment of perquisites and salaries.

At some other institutions, some guards find that the only economical plan is for them to maintain two residences -- a room for themselves, usually at the institution, and a dwelling at a distant place for their wives and families. They see their families only on days off. Such situations obviously are unfair to the guards and unsatisfactory to the institutions, since staff contentment and morale are affected.

Under the existing arrangement, transfer from one institution to another, even at an increased salary, may involve a sizeable financial sacrifice because low-rental staff housing is available at one place and not the other.

There are three possible solutions to the housing problems of institutional personnel. One is simply to raise salaries to a level that would make it possible for employees to afford proper housing at the going rate in the community. The second is to build

sufficient and suitable accommodation on or adjacent to institutional property for rental to all staff members who desire it. The third is to make an agreement with a housing firm, such as Central Mortgage and Housing Corporation, to build houses on or adjacent to the properties that would be sold at reasonable prices to staff members. In the event of an employee leaving the institution, his house would be sold back to the Department or the housing firm on a fair basis so that it could be re-sold to another employee.

Some guards raised questions as to the advisability of housing institutional staff together in a "prison community". They thought it inadvisable for men working together during the day to be neighbours in a housing project. They thought the effect on staff generally, and on the families of staff members, would be unfortunate. The Committee finds a considerable degree of validity in such arguments. Additional staff housing would be justified only where high rentals in the community made it absolutely necessary.

Therefore, the solution to housing problems should be effected by a two-fold method; raising of salaries (along with adjustment of perquisites) and erection of homes in co-operation with a housing firm for sale to staff members, as outlined above, at institutions located in high-rental communities. Such housing would provide an incentive to guards to stay in the service.

Industrial Farms

The Department now operates four industrial farms -- Burwash, Rideau, Monteith and Burtch. All except Burwash were set up immediately after the war by use of surplus military buildings of temporary structure. Chief purpose of these farms is to provide for the incarceration and useful employment of all offenders in the district serving terms of about three months or more.

The Burwash farm, just south of Sudbury, is the oldest now operating, and by far the largest. In addition to taking short term prisoners from the immediate district, this institution takes most of the longer-term repeaters (with sentences of up to two years less one day) from the entire Province. Means are provided for such rehabilitation as is possible under the present system. There is a variety of industry, as outlined elsewhere in this Report.

Provincial authorities deserve commendation for extending the industrial farm system. Ontario was the leader in this country in the development of industrial farm type of accommodation for offenders.

The principle of industrial farms, as their name implies, is excellent: to provide an abundance of work for the inmates. More specific comments on each

particular institution are made elsewhere in this Report, but it should be generally noted that the three post-war farms had a big initial handicap. All have only temporary buildings, employed the dormitory system of housing, and have extremely poor terrain to develop. Partly for these reasons, they have not lived up to their names.

The industrial farm system gradually should be extended further. New industrial farms would take the pressure off over-crowded jails and eventually should replace jails altogether as custodial institutions, except for purposes of lock-ups and sentences of seven days or less.

There have been reports over a period of time that the Department of Reform Institutions plans to establish three or four new industrial farms. No specific information on this topic was ever given the Committee. On the basis of available evidence, it would appear that such plans are very long range and indefinite, with one exception. A property at Fort William, used in recent years as a mental hospital, is due to be returned to the Department of Reform Institutions for re-conversion to its original function as a custodial institution. The transfer has been pending for some time but the Committee was

told that no definite date has been set. This transfer should take place as soon as possible to fulfill the obvious need of Northwestern Ontario for an industrial farm.

The existing situation in Northwestern Ontario is in some ways typical of situations elsewhere which could be alleviated by establishment of new industrial farms. The District Jail at Kenora has a capacity of 28 and yet, in the year ending March 31, 1953, an average of 37.9 prisoners daily were crowded within its walls. At one time, 57 persons have been accommodated there. The District Jail at Port Arthur has a capacity of 90 but has held as many as twice that number, with the average for the year being 1938. The District Jail at Fort Frances, with capacity of 12 and average daily population of eight, is the only one in the area with sufficient accommodation for its needs.

Thus, for reasons of physical accommodation alone, it is clear that a new industrial farm at Fort William would serve a valuable purpose.

But there are further reasons for industrial farms that are, in the long range, equally important and that apply with equal force to all parts of the Province. A jail just is not a place of reformation. A system that hopes to embody reformation as a main

aim cannot function in jails. The deficiencies of jails are outlined in some detail in the following section of this Report, and it should be indisputable that industrial farms, with provision for work programs, are much superior to jails for the purposes of reformation and long-range protection of society.

The four industrial farms now in operation are situated near Sudbury (Burwash), Brantford (Burtch) , Burritt's Rapids (Rideau) and Cochrane (Monteith). The most obvious need for another farm is at Fort William, but study should be given to establishment of further industrial farms in the most easterly section of the province, in the most westerly area and in the Toronto-Hamilton area. Such a study should take into account, the reform rate possible in an industrial farm as contrasted with the reform rate possible in a jail, and compute the long-range costs and savings. The Committee is convinced that the expense of further industrial farms, strategically located geographically after careful surveys, would be offset over a long period by the savings resulting from reduced recidivism.

Recommendations

On the basis of the findings outlined above, the Committee makes the following recommendations:

1. That the chain of command in the Department of Reform Institutions be clarified, especially at the upper levels, and that responsibilities be more clearly defined, to ensure maximum efficiency of operation.

2. That the importance of the position of Chief Psychologist be recognized by a more adequate salary, an adjustment of responsibilities and full consultation regarding future development of Departmental programs.

3. That the position of Farms Administrator be clarified as to responsibilities and powers.

4. That adequate staff and facilities be provided for an expanded statistical division that can supply complete data on all phases of the Department's operation.

5. That the Supervisor of Construction maintain closer liaison with the Department of Public Works and be consulted fully regarding the maximum employment of inmates.

6. That diets and food costs be more closely co-ordinated and supervised through the Dietician and the doctors at the various institutions.

7. That clothing costs be more closely co-ordinated and supervised from the Department's head office.

8. That the Ontario Reformatory, Brampton, be re-named so that in name as well as function, it is clearly distinguished from other institutions.

9. That Burwash Industrial Farm be re-named as the Burwash Provincial Prison in keeping with its basic functions of hard work and detention for repeaters, as recommended elsewhere in this Report.

10. That necessary changes be made in the system of transporting prisoners to ensure the maximum economy and speed.

11. That as much food, clothing and other items as possible be inmate-produced for the purposes of economy and inmate industry.

12. That the opportunity of obtaining days off for good behaviour be extended to all inmates, including those serving short sentences, in all reformatories, industrial farms and jails.

13. That inspectors be more thorough and objective in inspections of jails and that they recommend all changes that should be made in the interests of security and the efficiency of custody and reformation, regardless of any other considerations.

14. That salaries of institutional personnel be raised to a level that will attract a consistently high calibre of employee and will provide incentive for making a career in custodial and reformatory work.

15. That better understanding of the broad aims and methods of institutions be promoted through:

- (a) in-service training for all personnel;
- (b) installation of card indexes, to be suitably placed in each institution, detailing the individual records,

histories and backgrounds of each inmate for the information and guidance of guards;

- (c) holding of regular staff conferences to discuss general and specific phases of the institutional program with representatives of all types of personnel involved.

16. That senior personnel, in consultation with higher Departmental officials, establish with more exactness the complement necessary for the best possible operation of each institution.

17. That Superintendents be consulted fully concerning all staff changes contemplated at the institutions which they direct or which they are scheduled to direct in the near future.

18. That more psychologists, psychiatrists, and counsellors be added to institutional staffs to guide reformatory programs.

19. That doctors and dentists be hired on a full-time basis wherever possible and economical.

20. That guards be properly compensated for all overtime work.

21. That guards advance in status and salary by a system that examines merit and capability as well as recognizing experience and general ability.

22. That employees be suitably recognized for meritorious service and for long and faithful service.

23. That all guards be given instruction in the Staff Training School before assuming regular duties.

24. That refresher and advanced training courses be instituted for experienced personnel.

25. That the Department of Reform Institutions, in co-operation with a housing firm, erect houses on or adjacent to institutional properties in areas where normal private housing is prohibitively expensive; such dwellings to be sold at reasonable prices to institutional personnel on the condition that, should they leave the employ of the institution, the Department or the housing firm may buy back the homes at a fair price for re-sale to other personnel.

26. That the hospital property at Fort William be returned to the Department of Reform Institutions as soon as possible for the establishment of an industrial farm.

27. That a detailed survey be made immediately, taking into account the long-range savings through reduced recidivism that could accrue from industrial farm operation, to decide on the advisability of establishing more industrial farms elsewhere in the province.

CHAPTER III

CUSTODIAL PROPERTIES

1. INVESTMENT AND GENERAL CONSIDERATIONS

The Department of Reform Institutions operates four reformatories, four industrial farms, three training schools and eight district jails. In addition, the Department of Reform Institutions shares the cost and control of five other training schools, owned and operated under Roman Catholic auspices, and thirty-seven city and county jails, owned and operated by two cities and thirty-five counties.

The following table indicates the Province's investment in the properties which it owns and over which it has sole control.

DEPARTMENT OF REFORM INSTITUTIONS

Cost of Land, Buildings, Equipment and Livestock

<u>Institution</u>	<u>Cost of land, buildings and equipment as expended by Dept. of Public Works to March 31st., 1953</u>	<u>Estimated value of plant or farm equipment and livestock as per inventories of March 31st., 1953</u>	<u>Total Estimated cost to March 31, 1953</u>
Ontario Reformatory, Guelph	\$ 2,951,237.03	\$ 74,853.94	\$ 3,026,090.97
" Mimico	810,050.73	23,283.00	833,333.73
" Brampton	507,307.50	27,931.53	535,239.03
Mercer Reformatory, Toronto	421,391.82	253.10	421,644.92
Industrial Farm, Burwash	2,259,315.38	119,148.00	2,378,463.38
" Monteith	722,859.85	33,721.55	756,581.40
Rideau Ind. Farm, Burritt's Rapids	590,275.76	15,978.67	606,254.43
Burtch Ind. Farm, Brantford	<u>502,373.12</u>	<u>9,435.40</u>	<u>511,808.52</u>
Totals for Reformatories and Industrial Farms	\$ 8,764,811.19	\$ 304,605.19	\$ 9,069,416.38
Ont. Training School for Boys, Bowmanville	988,286.87	15,800.25	1,004,087.12
Ont. Training School for Boys, Cobourg	524,647.06	6,209.50	530,856.56
Ont. Training School for Girls, Galt	<u>404,421.31</u>	<u>11,483.00</u>	<u>415,904.31</u>
Totals for Training Schools	\$ 1,917,355.24	\$ 33,492.75	\$ 1,950,847.99

Cost of Land, Buildings, Equipment and Livestock

<u>Institution</u>	Cost of land, buildings and equipment as expended by Dept. of Public Works to March 31, 1953	Estimated value of plant or farm equipment and livestock as per inventories of March 31, 1953	Total Estimated cost to March 31, 1953
Totals Brought Forward:			
Reformatories & Industrial Farms	\$ 8,764,811.19	\$ 304,605.19	\$ 9,069,416.38
Training Schools	1,917,355.24	33,492.75	1,950,847.99
District Jail, Fort Frances	68,307.68	--	68,307.68
" Haileybury	114,761.41	--	114,761.41
" Kenora	100,964.73	--	100,964.73
" North Bay	241,144.36	--	241,144.36
" Parry Sound	161,630.15	--	161,630.15
" Port Arthur	236,686.77	--	236,686.77
" Sault Ste. Marie	200,200.49	--	200,200.49
" Sudbury	<u>239,473.49</u>	--	<u>239,473.49</u>
Totals for District Jails	\$ 1,363,169.08	--	\$ 1,363,169.08
Grand Totals:	\$12,045,335.51	\$338,097.94	\$12,383,433.45

(The above includes expenditures made since the establishment of the institutions and does not represent present day values.)

Divided Control

Three Departments are involved in the establishment of such institutions. The Department of Highways purchases the land in conjunction with the Department of Public Works; the Department of Public Works does or supervises construction and installs equipment; and the Department of Reform Institutions finally takes over control and responsibility. While the Department of Reform Institutions is responsible for maintenance and certain repairs, the Department of Public Works retains the title to the property and is called in to make major repairs, additions and renovations.

Such duality of control is necessary in view of the fact that the Department of Public Works specializes in technical problems of construction, engineering and maintenance. But the existing arrangement hinders the efficient operation of reform institutions in some respects and therefore is in need of revision.

Workmen on repair and renovation jobs at Reform Institutions may be employees of the Department of Public Works or employees of a contractor responsible to the Department of Public Works. Although their actions and behaviour can endanger security and morale, the superintendent of the institutions where they are working has no direct control over them. The Committee heard evidence that such workmen have been suspected of bringing in contraband, have bantered in an undesirable

way with inmates, and have even set a bad example to inmates by lackadaisical work habits. This sort of behaviour, while it may be rare, certainly constitutes an obstacle to good management of institutions in the interest of reform.

Furthermore, the employment of all able-bodied inmates is essential if the best possible results are to be obtained from the programs in our reform institutions. Construction and repair jobs provide an opportunity for employment that the superintendent cannot grasp when they are done or supervised by the Department of Public Works.

Therefore it is clear that general liaison between the Department of Public Works and the Department of Reform Institutions should be closer, and that superintendents of reform institutions should be empowered with much greater control over works projects on their properties. There should be a maximum utilization of inmate labor on works projects, including inmate tradesmen when available, and each Superintendent or Governor should have the power of veto, for good reasons stated confidentially, over who shall be allowed to work on projects on the property of his institution.

Segregation

Generally speaking, Ontario's reformatories, industrial farms, training schools and jails are far from ideal for their purpose. The Committee found them to be clean and well kept, but even in the best of them there was inadequate space for segregation. (The need

for more segregation is outlined in Chapter VI) In some institutions there are temporary frame buildings that should be replaced progressively by permanent structures. In all jails and some reformatories and industrial farms there are inadequate facilities for putting the inmates to work. In many jails the deficiencies of the accommodation are so extensive as to be shocking.

The segregation problem will be eased somewhat when the Department builds a high security institution for more difficult offenders. The general plans for such an institution have been approved by the Legislature and the Department plans to start work on it shortly at Millbrook, near Peterborough. The estimated cost, as set aside in the Estimates for 1953-54, is \$2,500,000.

It has been noted in a previous chapter that, should Ontario's population and crime ratio continue to follow the trends established in the past, the number of those sentenced to custodial institutions in 1963 could be as much as 50% higher than the number sentenced in 1952. Such an increase would call for a building program of major proportions.

The Committee makes certain recommendations in this Report that, when implemented, could be expected to ease pressure on custodial institutions in the future. It would be dangerous and unrealistic, however, to make plans on the assumption that the population in custodial institutions will fall much below its present level in the next decade. All existing institutions should be brought up to a proper standard, and additions to these

properties should be made as outlined in this Report, in order to provide accommodation that will best serve the purposes of custody, reformation and the protection of society.

Temporary Structures

One of the most urgent steps in bringing existing properties up to a proper standard must be the replacement of temporary structures. The need to do so is obvious. These frame structures were built originally for the Armed Forces during World War II and they were never intended to last more than 10 years or so. Nor were they designed for the custody of offenders against the law. The fact that they are in many cases an eyesore is incidental to the facts that they become fire hazards, become rundown, require expensive heating and maintenance, and encumber efforts toward proper segregation, reform, and good management. The condition of these temporary structures is noted below in more detail under the sections dealing with the institutions where they are located. Almost without exception, they have outlived their usefulness. They should be replaced as soon as possible with permanent buildings that carry out the principle of housing inmates in individual cells rather than dormitories.

Fire Hazards

In all institutions it is essential that fire hazards be cut to the minimum. Even in fire resistant buildings the risk is ever present since the inmates are

locked in cells and must depend on quick and efficient action by guards in case of fire.

The risk to inmates is heightened if all cells have to be unlocked individually - and such is the case in the great proportion of our institutions. The risk is almost unbelievably high in certain old county jails where narrow corridors and, in some cases, narrow stairs would add to the difficulty of quick and thorough evacuation. In case of fire, a guard would be less than human if he did not fumble with his keys and become excited in the course of going up and down corridors to let inmates out. That any persons in our society should have such meagre protection in an emergency is contrary to all principles that place value on human life.

Fire risks can be considerably lessened by the installation of gang locks, by which guards can lock and unlock all the cells on one corridor by simply pulling a lever. This system has the additional advantage of being desirable for security. The Committee believes that gang locks should be installed in all institutions under Provincial control.

The Committee was surprised to find that almost all custodial institutions in the Province have failed to take the elementary precaution of installing a fire alarm box that would alert the municipal fire department immediately in an emergency. A telephone call could waste precious minutes and delay one officer

from the task of releasing prisoners. The Committee believes that all custodial institutions under Provincial control should be equipped with fire alarm boxes connected with the municipal fire department, except where location or local conditions make such a system impossible.

Another elementary precaution for the protection of life and property is the holding of periodic fire drills. Since the danger of fire would be greatest at night, it is clear that such fire drills should pay particular regard to night conditions when the inmates are locked in their cells. Yet the Committee found that all fire drills were held in the daytime under regular daytime conditions, except at institutions where it was admitted that suggestions regarding night fire drills made at public meetings by members of this Committee had been heeded. While security measures need careful watching when fire drills are held at night, it is relatively simple to simulate night conditions at fire drills in the daytime with no security risk. The Committee believes that night fire drills, or fire drills under simulated night conditions, should be held periodically in all institutions under Provincial control.

Liaison between inspectors of the Department of Reform Institutions and fire protection agencies is practically non-existent. It should be strengthened so that inspectors work closely with local fire departments and the Fire Marshall's office in all matters concerning fire risks.

2. REFORMATORIES AND INDUSTRIAL FARMS

Ontario Reformatory, Guelph

This institution is located just east of the City of Guelph and consists of 1,000 acres of property with masonry buildings near its centre. Construction began in 1907 and was completed in 1915. Accommodation in cells is 385, in dormitories 476. A kitchen, auditorium, 28-bed hospital, and two dining halls are in the main building.

A new 50-bed hospital, primarily for tuberculosis patients, is nearing completion. Its construction is of brick and concrete.

A new gymnasium of wooden construction is attached to the south end of the auditorium. There are five masonry industrial buildings, housing the car license plate plant, woollen mill, machine shop, sheet metal shop, paint shop, blacksmith shop, tailor shop, upholstering shop, general stores, planing mill, laundry, cannery, abattoir, power house and the motor mechanics and carpentry classrooms.

A group of wooden structures comprises the farm group, including implement shed, root houses, horse barn, dairy barn, pasteurizer plant, piggeries, calf barn and greenhouse.

A Staff Training School is housed in a frame army hut with dormitory accommodation for 25. Guards from all parts of the Province are sent here for training. Since this program is valuable and should be continued, the Committee believes that the Staff Training School should be housed in a permanent building at the Guelph Institution, with provision for separate rooms instead of dormitories to facilitate and encourage studying.

Heating for the reformatory buildings is steam, supplied by the main power house. Fuel consumption is about 5,000 tons of bituminous nut and slack coal annually. The pasteurization plant is heated and operated by an automatic steam-fitted generator.

Suggestions have been made, with which the Committee is in accord, that better chapel facilities should be provided. One of the suggestions was that the second dining hall should be converted into a chapel, but this proposal must be rejected on the grounds of security. Although one of the dining rooms was in use when the Committee visited Guelph, the second dining room should be kept in reserve at all times for use in periods when the inmate count is high. Dining

room overcrowding, with shift feeding and long line ups, has been cited as a contributory factor to disturbances among inmates.

Some 640 acres of the property is arable. An additional 10 is wooded. A program of proper erosion control and proper fertilization methods has been adopted, and a study is being made for some 55 acres of muck and low-lying soil near the lakes and ponds.

The Committee recognizes the problem of staff housing and deals with it in Chapter II (B). There are several houses on the Guelph property, chiefly of stone and stucco construction. They accommodate nine staff families.

Industrial Farm Burwash

This institution, established in 1914, is located 30 miles south of Sudbury. It has the greatest area of any reform institution in the province - 35,000 acres owned and 101,000 acres leased.

It consists of three separate camps: Camp 1 (Spruce), Camp 2 (Main Camp), and Camp 5 (Bison). Two other camps were closed some years ago.

The main camp consists of one brick cell block (168 cells) and one brick dormitory building (320 beds). In the dormitory building is a 22-bed hospital on the ground floor and an auditorium on the second floor. Kitchen and dining accommodation is provided in the basement. A permanent kitchen, dining room and bakery are still to be added to this unit, which was brought to its present state of completion in 1938. The cell block and main dormitory building are connected by a joint reception and administrative centre.

Grouped about this unit are five frame buildings. In these are the boiler room, trade school, academic school, gymnasium and garages. Two separate frame buildings house the maintenance shops (blacksmith, plumbing, carpentry and engineering) and the paint shop. The boiler room supplies heat for all these buildings.

One-quarter mile north are the main farm

buildings, all of frame construction except for the masonry milk house. There are two dairy cattle barns, a root house, three piggeries, a slaughter house, and a pasteurizing and milk storage plant. There are also horse barns and an implement shed.

In a group to the south are the fire hall, maintenance garage, laundry, stores, post office, tailor shop, shoe repair shop and greenhouse. A heating plant housed in a frame building supplies steam heat for these structures. Intermingled are three buildings for single employees' quarters, eight staff family residences, and a joint Protestant and Roman Catholic chapel.

One-half mile southwesterly are the saw mill, planing mill and lumber yard built at the edge of a small lake. Adjoining the planing mill is a low-pressure boiler room which supplies the mill with heat both for comfort and operation of the kilns. The saw mill is newly constructed of block-masonry several hundred yards from the planing mill. Both mills are electrically operated.

Camp Spruce (Camp 1) consists of one U-shaped frame building located two miles east of Main Camp. It was remodelled 20 years ago. On the ground floor is a kitchen, the dining room, food stores and refrigeration unit, all in the one wing. On the second storey of this

wing and on both floors of the main wing are three inmate dormitories with accommodation for a total of 117 men. Adjoining the rear of the middle wing is a small boiler room supplying steam heat for the camp. In the third wing is accommodation for single officers, as well as the custodial office and store room.

Southwest of Camp Spruce one-quarter mile is a sheep barn, not in use. A horse barn is one-half mile to the northwest. Water supply for this camp comes from springs.

Camp Bison (Camp 5), four and one-half miles southwest of Main Camp on the Wanapitei River, is obsolete and therefore in urgent need of replacement. One of its worst features is a balcony in the main building, above the main dormitory, that was improvised to increase the number of inmate beds. Of frame construction, the main building has dormitory accommodation for a total of 110 men, and a kitchen, dining room, and custodial office. There is a frame boiler house and another frame building enclosing the butcher shop and maintenance garages. All buildings have steam heat with water obtained from the river.

Three hundred yards to the east is a barn for horses and cattle, a beef cattle barn and two hay storage sheds, all of frame construction.

Burwash Village provides accommodation for 146 staff families, including eight at Main Camp; 11 near the C.N.R. Station, two and one-half miles away; and 127 midway between. Accommodation is permanent in nine brick houses and 32 brick apartments. In addition, there are 40 frame houses, 7 frame apartments and accommodation for 58 families in a group of 15 converted army huts. Some of the houses are semi-detached. The boiler room provides steam heat for 11 family dwellings in its immediate vicinity; other dwellings are heated by individual furnaces.

In the centre of the village is a frame school building for all grades of Public School and two grades of Continuation School, heated by hot water boiler in the building. The main pump house, of brick construction, is two and one-half miles distant, and supplies water for both the village and the Main Camp.

Total staff of the Industrial Farm is 210. The isolated location of the institution makes it necessary for all staff members and their families to live at Burwash, and the Committee commends the Department of Reform Institutions for its degree of success in making the village a good and happy place in which to live. Staff quarters should all be permanent, however, since it is obvious that all staff members and their families

always will have to be housed on the property. The programme of providing permanent staff housing at Burwash should be accelerated toward early completion.

Over 30,000 of the 35,000 acres owned by the Institution is comprised of bush, rock, lakes and other unarable terrain. It is a Provincial game preserve. The land generally is poor clay or clay loam and heavy fertilization of the thin soil is necessary.

Long term cutting of bush on the Burwash property has resulted in much of the natural cover being depleted. For the past three years, however, the Institution has had the use of an adjoining 101,000 acres for lumbering purposes. The Department expects this land, operated under a timber management plan, to produce annually about 500,000 board feet of mixed lumber. An additional production of 3,000 cords of fuel wood for the Camp is anticipated. Reforestation at Burwash should be extended and timber operation should be placed on a more productive and efficient basis as outlined in Chapter VI.

Fuel consumption for the institution is about 5,000 tons of bituminous coal and 2,000 cords of firewood annually.

Industrial Farm, Monteith

This institution, established near the Village of Monteith in 1938, includes about 730 acres of land. Some 300 acres are bush.

All but the administration building and power house and one staff house are of temporary wooden construction. In the administration building are the usual offices, hospital, kitchen, dining room, stores and power room.

Inmate accommodation for 200 is provided in dormitories in four army huts.

Five separate frame buildings house the fire hall, implement shed, laundry, repair garage, carpenter shop, plumbing shop and paint shop. There are six farm buildings for beef cattle, horses, dairy cattle, calves, milk house, and piggery and slaughter quarters. Two army huts are used for miscellaneous storage.

There is accommodation for 24 staff families in one masonry house, two frame houses and four frame apartment blocks. One army hut provides accommodation for 15 single officers. Another army hut is used as a recreation centre for personnel and as a cinema for inmates.

The army huts at Monteith were unsuitable at the start for inmate accommodation and it is indefensible

to continue them as such. The same is true of other army huts on the property used for other purposes. All temporary buildings on the property will have to be replaced by permanent structures before Monteith can be capable of achieving its maximum effectiveness as a reform institution.

The total arable land is approximately 150 acres, of which some is clay loam, and the rest clay soil, sandy loam and muck. This acreage is totally inadequate to utilize the available manpower. According to expert testimony given the Committee, very little of the acreage not now under cultivation could be converted to arable land, although some of it might be suitable for pasture. Therefore, more land adjacent or close to the existing property should be purchased for use in greatly extended farm operations. This is doubly desirable in view of the fact that the Monteith farm is regarded in the community as a demonstration farm. This function of demonstration should be carried out on a much greater scale for the benefit of the entire area.

Industrial Farm, Burtch

This institution was established by conversion of an R.C.A.F. depot in 1948. It is about $7\frac{1}{2}$ miles south of Brantford on 383 acres of land.

Here again is a group of temporary buildings never intended to serve as a reform institution. The Committee was disturbed at this institution's apparent ineffectiveness as a place of reform, and a large share of the blame must be laid to buildings that are completely unsuitable for their purpose.

The main building is frame. It has dormitories for 168 inmates, kitchen, dining room, library, hospital, boiler room, and accommodation for a few staff members. Another wooden building houses administration offices and has accommodation for 10 single officers on the main floor, with dormitories for 40 inmates on the second floor.

A large frame building provides accommodation for the Superintendent's residence and, adjoining the truck garage and fire fighting equipment. One staff family lives in another frame building.

In a group of three wooden farm buildings are a cattle barn, horse barn and implement shed with root house. Another building is used for general stores. Four separate buildings, all heated by one boiler room, house the laundry, two maintenance shops, repair garage and pump house. One wooden building, a former hangar, is vacant and should be utilized, in its entirety or in part, for a light industry that would provide much-needed employment for inmates.

Fuel consumption is 725 tons bituminous coal annually.

Some 311 acres are arable, much of the land being silty clay loam and clay. During World War II, when the R.C.A.F. used the property, most of the land was virtually ruined for farming purposes by levelling and general depredation by heavy machinery. Consequently, it is the least productive of any of Ontario's industrial farms. The Department of Reform Institutions has undertaken a gradual program to build up the soil by such methods as deep tilling and the planting and ploughing under of selected crops so that production may be expected to increase year by year. The Committee commends the Department for this program.

Industrial Farm, Rideau

This institution, located near Burritt's Rapids in the Kemptville-Smith's Falls area, was established in 1948 on approximately 550 acres of land.

This is another industrial farm which was improvised in temporary buildings although its establishment was intended to be permanent. The huts were obtained from an army camp at Cornwall and moved to the site. No matter how well painted and well kept they may be, the fact remains that they are not suitable

for their purpose and will have to be replaced by permanent structures.

Six army huts provide dormitory accommodation for 160 inmates and quarters for custodial offices, hospital, dining rooms, kitchen, stores, boiler rooms, laundry, tailor shop, maintenance shop, administration offices and living quarters for 20 single men. The boiler room provides heat for all.

Nearby are a garage, storage barn, combined pump house and fire hall and two staff houses, one of brick and one frame. Two staff apartments of brick construction are located near the farm buildings.

The main farm buildings are one-half mile west of this area. The dairy loafing barn and the horse barn are in one frame building. Attached is a milking parlor of stucco construction. A piggery of concrete block construction is located nearby.

The wooded area consists of about 320 acres. The arable soil of 200 acres is chiefly clay and clay loam. This acreage is not sufficient either to utilize fully the inmate labor available or to supply the excellent market for farm products at the Ontario Hospital. Additional arable land adjacent or close to the existing property should be acquired as soon as possible. While that part of the existing property

not under cultivation generally is unsuitable for farming, still the land could be utilized and the program of clearing bush and reforestation should be accelerated.

Ontario Reformatory, Brampton

This Reformatory is on the western fringe of Brampton on 100 acres of mostly arable land. The institution uses 30 acres and the remaining 70 acres is on loan to the Department of Agriculture for testing purposes. This 70 acres should remain under Department of Reform Institutions control and be available at all times for any expansion of the Reformatory that may become desirable.

Of the 24 buildings, 21 are wooden army huts. A group of huts provides dormitory accommodation for 200 inmates and the kitchen, dining rooms, boiler room, stores, assembly hall, academic and vocational classrooms, and recreation rooms. Five army huts house the motor mechanics shop, fire hall, drill hall, vocational shops and garages. The barn is of corrugated iron construction on a concrete foundation.

Twelve single employees are accommodated in the brick administration building. The motor mechanics shop is adjoining.

Five army huts provide apartments for 21 staff

families. The Superintendent's residence is of brick.

Use of so many temporary buildings may have been wise at the start since Brampton was considered an experimental project. Now, however, this Reformatory has a program that impressed the members of this Committee and has been praised highly by penologists from the United States, Britain and other provinces of Canada, as well as by officials of the Department of Reform Institutions. As an experiment it has given advanced leadership in reformation. There is no doubt that the project now is past the experimental stage and should be regarded as permanent. Therefore, all temporary buildings at Brampton used for inmate accommodation and the inmate program should be replaced by permanent structures designed to add effectiveness to the specialized type of training there.

Staff housing on the property poses many basic questions that have been examined in Chapter II (B).

The Reformatory uses 225 tons of anthracite coal and 1,459 tons of bituminous coal annually.

Also on the Brampton property is an annex to the Ontario Reformatory, Mimico, housing perennial repeaters of advanced age. It consists of one army hut providing a kitchen, dining room, custodial offices

and dormitory accommodation for 88 inmates, and another army hut providing accommodation for six single officers.

The program at the Brampton institution is an extremely important one and should not be hindered in any conceivable way by the location of a different type of institution on the same grounds. The Mimico annex should be removed as soon as possible from the Brampton grounds and housed in permanent quarters.

Ontario Reformatory, Mimico

This institution is located in Etobicoke township at Mimico. It was established in 1913.

It provides accommodation for 470 inmates, including 88 at the annex at Brampton. The main building, at Mimico, is of brick and has accommodation for 192 inmates, the kitchen, dining rooms, stores, custodial offices, hospital and single officers' accommodations.

The Department has under construction, a new modern building with dormitory accommodation for 120 men to partially replace present accommodation for 160 in a converted army hut.

The Committee deplores the plan of providing accommodation in dormitory form in this new building, since individual cells are so much better suited to the

most efficient reformation of offenders. Prompt consideration should be given to a change in plans that would provide individual cell accommodation for inmates in the new building.

The accommodation problems at Mimico are complicated by the need to house "hostel inmates" -- elderly derelicts who are neither hardened criminals nor reformable material, and who seem to loon on this institution as home. The Reformatory should be enabled to concentrate its facilities and organization on efforts at reformation. The "hostel inmates" should be housed elsewhere in a place that is better both for them and for the institution.

One mile northeast of the main group is a brick building which houses the Alex. G. Brown Memorial Clinic for Alcoholics. It has accommodation for 30 patients plus the necessary offices, medical rooms, kitchen and dining room.

The Committee commends the Department for establishment of this clinic, which is carrying out a function that embodies the highest principles of reformation. The Committee's only objection is that the clinic is not large enough. It should be expanded so that it could accommodate all the inmate volunteers who are likely to benefit from the treatment.

The farm buildings comprise dairy and horse barn, two piggeries, implement shed, milk house, root house, chicken house and runways, and a barn.

Accommodation for staff families on the property consists of two houses (one brick, one frame) and six brick apartments, all with independent heating systems.

Other buildings include fire hall, clothing stores and carpenter maintenance shops, shoe repair and slipper factory (in old army hut), power house and brick and tile plant, newly remodelled and of brick construction; 10 brick kilns; tile storage building and drying sheds.

Here is yet another institution where temporary buildings are in use for inmate accommodation and some parts of the inmate program. The Department of Reform Institutions in this case has taken steps to replace temporary buildings with permanent ones. The Committee emphatically endorses this action and urges that it be continued until all inmate accommodation is in permanent buildings, but with the reservation, as already stated, that there should be individual cells rather than dormitories.

Of the total acreage of 174, about 100 acres are considered arable. This land is poorly drained

and 80 percent. heavy clay. The remainder is loam. Farm production is mediocre and the location is in an urban area.

On principle, the Committee disapproves of maintaining reform institutions within heavily populated or industrialized areas. Such location is in the best interests of neither the institution nor the surrounding municipality.

At Mimico, however, the Committee heard evidence that the brick industry is a very valuable one, and that the shale clay deposits supplying it are still good for possibly 50 years or more. The present pit, about 40 feet deep and five acres in area, can easily be extended to twice its present size and an increased depth according to expert opinion. (The details of operation are outlined in Chapter VI).

These clay pits and brick kilns bring considerable revenue to the Province and provide suitable work for inmates. Therefore, the Mimico Reformatory should be continued on its present site, but the Department should sell all land in excess of that required for the space needs of the institution for buildings, grounds and the brick industry.

The total fuel consumption for the Mimico Reformatory is 3,900 tons bituminous coal, 100 tons

anthracite. Some 1,800 tons bituminous is used for the brick kilns, the remainder for heating.

Andrew Mercer Reformatory, Toronto

This institution is located at 1155 King Street West, Toronto, and was established in 1880 on nine acres of land. It consists of one main brick building, one brick residence and two frame buildings which house garages and work shops.

The main building gives cell accommodation for 160 female inmates. It also provides administrative office, stores, academic school, industrial workshops, laundry, kitchen, dining room and boiler room.

There is accommodation for 24 single staff officers and the Superintendent has an apartment. The gardener occupies the brick residence.

Total fuel consumption for the main building is 1,000 tons of bituminous fuel annually.

When The Mercer was built, it was outside Toronto. All around it was open country. At that time, its location may have been ideal, but now it is entirely unsuitable. The city has grown up around it to such an extent that it is in the centre of one of the busiest and most heavily industrialized areas

in Toronto. As pointed out in connection with Mimico, such a location is unsatisfactory both from the point of view of the institution and of the character of the district. Therefore, the existing Mercer property should be sold, and the institution should be moved to a new site outside Metropolitan Toronto.

The existing building is well constructed, but when it was erected, there was little thought of anything but security. Accommodation is fairly satisfactory, and the Department has done an excellent job of trying to convert it to effective use for reformation, but such conversion tends to be makeshift in such a solid old building. Some of the cells in the basement are sadly inadequate for modern detention. The building generally is difficult to heat properly and to keep clean.

When the Mercer is moved, the new institution should provide accommodation in individual cells rather than dormitories, with construction generally designed to aid reformation. And there should be on the property, sufficient accommodation of the cottage type to house inmates with a high potential for reform, to be operated in a fashion similar to that at the Ontario Reformatory, Brampton.

3. TRAINING SCHOOLS

Ontario Training School for Girls, Galt

This institution is located on the northern outskirts of Galt on the Hespeler Highway. Established in 1933, it has some 40 acres of property.

The institution consists of eight permanent buildings of good brick construction. One provides administration and schooling quarters and assembly hall. A brick house is provided on the grounds for the Superintendent.

The girls are housed in three brick buildings. Maximum capacity is 120 when double-decker bunks are used in some rooms, and average population runs from 120 to 135. One of the residences contains a hospital ward.

The power house and root house are in permanent buildings. Three frame buildings are used as drill shed, garage and tool shed.

About three and one-half acres of the land serve as a garden.

This school has excellent and adequate facilities and there is no need for further capital outlays at this time.

Eight hundred tons of bituminous stoker coal is used annually for heating.

Ontario Training School for Boys, Bowmanville

This institution, established in 1925, is on 300 acres of land 2 miles east of Bowmanville. It provides accommodation for 200 boys of the 14-16 age group. The following buildings are of brick construction: administration, gymnasium, kitchen and dining rooms, hospital, three dormitory buildings, fire hall, greenhouse, workshop, stores and power house. There is a swimming pool on the property, construction of which was financed by private subscription. The dormitories are well equipped and have television sets purchased from the boys' summer earnings.

There is a frame garage building, a frame motor mechanics shop building and another frame building housing laundry, shoe shop, barber shop and sheet metal shops.

West of the main buildings are eight farm buildings: dairy and horse barn, two implement sheds, two chicken houses and a piggery, all of frame construction; a milk house and root house of brick.

There is one brick and one frame staff residence.

East of the main buildings are a frame barn and implement shed and a brick residence for two staff families. The superintendent has a brick

residence near the entrance to the property.

Most of the buildings are of an excellent and permanent nature. The frame buildings are in good condition and can serve their purpose well for some time, although their replacement should be included in long-term plans.

Arable land totals 240 acres, most of it clay loam and sandy loam. Productivity is good.

Ontario Training School for Boys, Cobourg

This institution is located on the eastern boundary of the Town of Cobourg. It was established in 1942 on 42 acres of land providing accommodation for 140 boys up to 13 years of age, in three large converted summer homes. Two are masonry and the third frame and stucco.

Other buildings include three masonry for repair shop, greenhouse and general stores; two frame for garage and gymnasium; one new fabricated steel building for academic classes; and a frame and stucco residence for the superintendent.

Fuel consumed for heating is 400 tons bituminous coal and 200 tons anthracite.

The buildings at Cobourg are entirely unsuitable for their purpose. Their atmosphere is pleasant -- it might even be called luxurious -- but

these buildings were never intended for year-round use by a training school. Costs of heating and maintenance are excessively high, since the buildings are old, require a great deal of paint and repairing, and have large, high-ceilinged rooms that were designed solely for summer living.

The property at Cobourg should be taken out of service entirely as a reform institution.

The problem of finding another site would seem to have an obvious solution. The Bowmanville school has 300 acres, sufficient grounds to permit establishment of another institution on the property -- as distant as possible from the existing Bowmanville buildings - - without impeding segregation of the different age groups.

Such an arrangement would have an additional advantage of easing problems of administering the two institutions and correlating their work and policies.

Therefore, with the closing of the existing school at Cobourg, a new training school to replace it should be built on the grounds of Bowmanville Training School; and the new institution should be as far removed as is possible on the existing Bowmanville property, from the existing Bowmanville buildings.

Ontario Training School for Boys, Guelph.

This institution is actually part of the Ontario Reformatory at Guelph. It houses older boys who are particularly difficult to handle. Cell accommodation was provided for 14 of them in 1953.

The adult atmosphere at Guelph is completely unsuitable for such boys and is more likely to steer them toward further crime than toward reform. Consequently, the training school at Guelph should be abolished and its inmates absorbed into the Industrial School for Boys as recommended in Chapter X.

Ontario Training School for Girls, Toronto

This institution, which actually is part of the Andrew Mercer Reformatory, is similar in set-up and function to the training school for boys at Guelph. Accommodation is provided for 10 older girls who are particularly difficult to handle and usually are transferred to this school from Galt.

As at Guelph, the atmosphere at the Mercer is not conducive to the reformation of juveniles. When a new institution is built to replace the Mercer, more suitable quarters should be provided for this small group of girls.

Roman Catholic Training Schools

Orders of the Roman Catholic Church maintain training schools for boys at Alfred, Ontario (St. Joseph's) with capacity for 160; and at Toronto, (St. John's) with capacity for 170.

Girls' training schools are operated on a relatively small scale at Minnow Lake (Home of the Good Shepherd) and at Toronto (Home of the Good Shepherd); and on a somewhat larger scale at Downsview (St. Mary's Training School for Girls) with capacity for 130.

The equipment and the training program at these institutions reflect lack of finances, with consequent impediment to the reformatory program.

4. JAILS

Basically, jails are intended to house persons on remand and those serving sentences of less than three months. These functions involve coping with an unselected group of inmates with a rapid turnover. While the intended functions of jails pose in themselves a difficult task, the Committee found that the situation is complicated by inclusion in the jail of mental cases, lock-up prisoners, those waiting long periods for decision on their appeals, and sometimes juveniles. Housing of these groups in jails underlines the lack of proper accommodation for them throughout the Province.

Ontario has eight district jails, and thirty-five county jails, and two city jails (Toronto and Hamilton).

The Committee visited more than half the jails in the Province and found them to be clean and well kept. There were no dungeons or "black holes". The governors were doing their best with the facilities at their disposal. But, in many cases, their best efforts were not sufficient to offset the drawbacks of antiquated buildings, with poor ventilation, poor lighting, poor sanitation, poor and limited cell

accommodation, and usually no facilities at all for putting prisoners to work. Jails presented the most pressing property problems of all the types of custodial institutions studied by the Committee.

The eight district jails, which are under direct Provincial control, are situated at Parry Sound, North Bay, Sudbury, Haileybury, Sault Ste. Marie, Port Arthur, Fort Frances and Kenora. All were constructed less than 50 years ago, and three (Parry Sound, Sault Ste. Marie, Fort Frances) have been remodelled in the past four years. All are of brick or brick-and-stone construction.

Some of the district jails have insufficient cells to handle high inmate counts, especially over week-ends. Generally they have insufficient facilities to segregate all groups which should be segregated, and grossly inadequate facilities for inmate labor.

About the county jails, there is less to commend and more to condemn. Many are over 100 years old, and many others are close to that age. They were built to serve the needs of sparsely-populated, pre-Confederation Canada West, and it is not surprising that a large number of them are no longer adequate for their purpose. The Committee found many county jails to be poorly ventilated and dimly lighted.

Night pails were in common use, since the institutions were erected before plumbing was an ordinary building requirement. Cells in some places were roomy and modern, in others unbelievably small. Facilities for decontamination were generally inadequate, and, in some places, non-existent. Seldom was adequate privacy provided for interviews with lawyers and clergymen.

The Committee found that little has been done to correct these deficiencies. The Department of Reform Institutions should establish a set of minimum standards of sanitation, ventilation and accommodation for all jails in the province. Such action is urgently required to ensure that all jails in the province meet the standards of decency that modern society should demand.

The Committee realizes that the existing division of control between the Province and the counties and cities makes it difficult to set up any sort of uniform standards in all jails. A re-organization is recommended in Chapter IV to end this confusing situation. County jails, as presently constituted, are incapable of reform except by accident -- and the accident rate in this regard appears to be low.

The Don Jail in Toronto has been cited as an example of how outdated jails can become. A Royal Commission in 1952 found the Don to be antiquated, and its report contains specific recommendations for improvement.

Segregation should be carried out in jails and also in police court cells. In the main, these places do not have the facilities to provide even a minimum of segregation.

5. RECOMMENDATIONS

On the basis of the findings stated above, the Committee makes the following recommendations pertaining to custodial properties:

General

1. That closer liaison be established between the Department of Public Works and the Department of Reform Institutions to ensure that construction and repair projects do not endanger security and morale at custodial institutions, such liaison to include provision for

- (a) Maximum utilization of inmate labour;
- (b) Power of veto by the Superintendent or Governor of each institution, for good reasons stated confidentially, over who shall be allowed to work on projects on the property of his institution.

2. That a progressive program be undertaken over the next 10 years to make the property acquisitions and the structural changes and additions necessary to implement the recommendations of this Report.

3. That all temporary structures for inmate accommodation be replaced with permanent buildings providing individual cells rather than dormitories.

4. That fire hazards in all custodial institutions be lessened by means of:

- (a) installation of gang locks;
- (b) installation of fire alarm boxes connected with the municipal fire department, except where location or local conditions make such a system impossible.
- (c) the holding of periodic night fire drills, or fire drills under simulated night conditions;
- (d) strengthening of liaison between inspectors of the Department of Reform Institutions and local and Provincial fire authorities on all matters concerning fire risks in institutions.

Reformatories and Industrial Farms

5. That permanent quarters be provided for the staff training school at the Ontario Reformatory, Guelph, with provision for separate rooms instead of dormitories to facilities and encourage studying.

6. That better chapel facilities be provided at the Ontario Reformatory, Guelph, but not at the expense of the second dining room.

7. That the program of providing permanent staff housing at the Industrial Farm, Burwash, be accelerated toward early completion.

8. That reforestation work at the Industrial Farm, Burwash, be extended.

9. That additional arable land be purchased adjacent or close to the existing property at the Industrial Farm, Monteith, for use in greatly extended farm operations and extension of the demonstration function of the farm.

10. That the vacant hangar at the Industrial Farm, Burtch, be utilized in its entirety or in part for a light industry.

11. That additional arable land be purchased adjacent or close to the existing property at the Industrial Farm, Rideau, for extension of farming operations; and that reforestation work on the existing property be accelerated.

12. That the Mimico Annex be removed from the grounds of the Ontario Reformatory, Brampton.

13. That "hostel inmates" be removed from the custody of the Ontario Reformatory, Mimico, such inmates to be housed elsewhere in a place that is better both for them and for the institution.

14. That the Alex. G. Brown Memorial Clinic for alcoholics at the Ontario Reformatory, Mimico, be enlarged sufficiently to accomodate all inmate volunteers in the Province who are likely to benefit from the treatment.

15. That the Department of Reform Institutions sell all land at the Ontario Reformatory, Mimico, in excess of the basic space required by the institution for buildings, grounds and the brick industry.

16. That the Department of Reform Institutions sell the existing buildings and land at the Andrew Mercer Reformatory, Toronto, and remove the institution to a new site outside the Greater Toronto Area; and that the new establishment provide sufficient accommodation of the cottage type to house inmates with a high potential for reform, the program for these inmates to be operated in a fashion similar to that at the Ontario Reformatory, Brampton.

Training Schools

17. That the buildings and land at the Ontario Training School for Boys, Cobourg, be sold; and that, to replace the Cobourg institution, a new school be built on the grounds of the Ontario Training School for Boys, Bowmanville, as far removed as possible on the existing grounds from the existing Bowmanville buildings.

18. That the Ontario Training School for Boys, Guelph, be discontinued, and that its functions be absorbed by the industrial school whose establishment is recommended in this Report.

19. That the Ontario Training School for Girls at the Andrew Mercer Reformatory, Toronto, be transferred to the new institution to replace the Mercer; and that suitable facilities be provided there with accommodation on the cottage plan.

Jails

20. That the Department of Reform Institutions establish a set of minimum standards of sanitation, ventilation, and accommodation for all jails in the Province.

CHAPTER IV

JAILS

A. THE EXISTING SYSTEM

General

Jails are the clearing houses for offenders and suspected offenders. In them are lodged murderers and innocent persons, sex perverts and juvenile delinquents, career burglars and impressionable first offenders, drug addicts and speeders, alcoholics and tax evaders. All mingle together to form a passing parade that is continually changing but never ending. During the fiscal year 1952-53, there was an average of 1,655 persons in jails every day in Ontario, while the total held in custody during the year was 47,749. Statistically speaking, there was a complete turnover of jail population every 12 days.

The total number committed to jails during the fiscal year was 46,003. Of these, close to 5,000 were found innocent; 17,656 served sentences in jails; 10,599 were transferred to other institutions to serve sentences; 12,518 were convicted but were fined or given suspended sentences; and the remaining few hundred were in custody on remand or awaiting trial when the year ended.

The 45 jails serving the Province are of three types. Eight, all established or renovated in

the past 30 years, are district jails operated and financed directly by the Department of Reform Institutions, serving the areas north and west of Muskoka County. Thirty-five are county jails, with control and costs divided between the counties and the Department. Two (Toronto and Hamilton) are city jails, with cities sharing control with the Department and sharing costs with the Department and the Counties in which they are located.

As outlined in the Property section of this Report, the jails provide poor facilities for custody, meagre facilities for urgently needed segregation and virtually no facilities for reform. They are more likely to steer inmates toward further crime than away from it.

In the southern part of the province the basic defects of the jails are aggravated by cumbersome administrative machinery. Faced with enormous problems of rapid turnover and unselected personnel, the city and county jails are anachronisms in themselves and are run in an anachronistic way. They are operated under a multiplicity of control that ossifies the past and obstructs the progress that modern conditions demand -- a system that compounds confusion and inadequacy. The old jails stand as bleak, changeless

monuments to the needs and conditions of the nineteenth century for which most of them were built. And while retaining the worst of tradition, they have lost the best through a departure from the purposes they originally were intended to serve. Instead of housing only persons on remand and those serving short sentences, they have come to be used also as improvised mental hospitals, lock-ups and juvenile detention homes.

The existing city and county jail system is outmoded and unworthy of the people of Ontario. It is completely out of step with modern conceptions of the decency of the individual and the hope of his salvation from crime. Jails do provide punishment by the very nature of their conditions; but, in keeping with nineteenth century thinking, they provide nothing else. They are degrading to juveniles, innocent persons and the mentally ill, and they certainly do not provide the incentive to reform that would protect society to the greatest degree possible against further crime.

It should surprise no one that persons jailed more than three times during 1952-53, accounted for nearly 40 percent. of the committals.

Multiplicity of Control

The eight district jails, owned and operated

by the Province, are free from divided control except for the participation of sheriffs in their operation.

The thirty-seven city and county jails, in addition to having sheriffs involved in their affairs, have to struggle with the serious and deep-rooted problems inherent in the further division of responsibility and control between the counties and the province. Thus in thirty-five of them the administrative machinery is a three-headed monster; in Toronto and Hamilton, where the cities also share control, it is four-headed. The counties own the jails and share control and costs with the province. The inevitable result is overlapping of authority and failure to carry through suggestions for improving accommodation and efficiency of operation. There is a tendency for the authorities involved to shift responsibility back and forth in perpetual deadlock.

In addition to its other evils, this system is uneconomical. All the jails are kept open with the required staffs although in some communities, due to a fairly stable population and low incidence of crime, there are few inmates.

The Province's contribution to the cost of maintaining prisoners in county jails varies. In the

first instance the county is responsible for providing the jail. The Province does not contribute to maintenance of the jail proper but does contribute to cost of food and salaries in proportion to the number of days spent in the jail by prisoners serving sentences for indictable offences.

For the year ending March 31, 1953, the total cost of operating all city and county jails was \$1,560,000. The Province (through the Criminal Justice Accounts of the Department of the Attorney-General) paid nearly \$450,000, the counties and cities more than \$1,100,000.

The Department of Reform Institutions is charged with administration and inspection of jails under The Jails Act (R.S.O. 1950). If a Departmental inspector finds a jail in need of repairs or not supplying sufficient space for prisoners, the Act, Section 9, provides for him to bring the deficiency to the attention of both the Lieutenant-Governor and the Council of the county or city. The Act further provides that the inspector shall confer with a committee appointed by the council to decide on necessary repairs, alterations and additions, and the council shall carry out the decision. In case of a deadlock at any stage, there is provision for

the Province to compel the council to take action.

Realizing the natural hesitancy of county councils to spend money on jails, inspectors too often fail to report deficiencies that should be reported. When they do make reports, county councils sometimes delay action on recommendations indefinitely. In such a setting, jails that are shamefully antiquated and inadequate remain unchanged year after year.

It is not a criticism of county and city councils to admit the fact that they are hard-pressed financially. They have limited tax sources and a wide variety of outlets for necessary expenditures, of which the jails are only one. Besides paying the greater proportion of normal jail costs, they are saddled with the unfair burden of paying extra costs when a person is sentenced to be executed -- the costs of maintaining special death-cell watches and of conducting the execution itself. In view of all the disadvantages of the existing system of local participation in jail affairs, it is most illogical to require local authorities to maintain any direct connection whatever with the jails.

Another complication that obstructs the smooth, efficient operation of both county and district jails is the traditional position of sheriffs. The

jails are their responsibility. The sheriffs, not the governors, are nominally in charge. The Municipal Act provides that the sheriffs shall have the "care" of the jails. In practice, the function of a sheriff in jail operation is to oversee the work of the governor, to act as liaison among the Department of Reform Institutions, the jail staff and the county, and generally to act as senior official of the jail.

Such responsibilities are an inheritance from another age. While the position of the sheriff a century ago was such that supervision of the jail came logically within his purview, the Committee could find no valid reason why he should continue to go through the motions under present-day conditions. The only reason bearing a semblance of validity is the contention that it is wise to divide the heavy responsibility of jails between two officials, the governor and the sheriff. This argument does not stand up, however, when it is remembered that the greater responsibility of large reformatories is left solely in the hands of the superintendents. The governor of a jail is in closer touch with all aspects of its operation than the sheriff, and it is unrealistic to place the sheriff over him. Any governor who cannot handle the responsibility alone should never have been appointed to that position.

Nor is there logic in having an appointee of the Attorney-General's Department in authority over appointees of the Department of Reform Institutions. The sheriff, for example, recommends to the Department of Reform Institutions whom it should employ as guards in its jails, whom it should promote and, when necessary, whom it should dismiss. The governor officially is side-tracked in the selection of the personnel who are to work under his direction.

The Committee found that most sheriffs who fitted into jail administration with comparative smoothness were those who regarded themselves as little more than figureheads, and left almost all decisions to the governors. There were places, however, where conflict between sheriff and governor actively obstructed efficient operation.

Members of a delegation from the Ontario Sheriffs' Association told the Committee that most sheriffs felt themselves to be "fifth wheels" in jail operation. The need for them to sign reports on the jails served no useful purpose, they said, and merely caused delays. They indicated that sheriffs, in the main, would be happy to give up their jail responsibility.

It is clear that participation of the sheriff, the Department of Reform Institutions, the counties and,

in two cases, the cities in jail operation makes for confusion and deadlock. In order for the jails to operate at maximum efficiency, serving the best interests of society, the existing multiplicity of control must be removed and single unit control instituted. Officials of the Department of Reform Institutions and a number of sheriffs and governors told the Committee they would favour such a change.

Multiplicity of control has contributed to erratic, inefficient methods affecting all phases of jail operation to the detriment of staff, inmates, individual municipalities and society as a whole.

Accommodation in Relation to Need

Based as it is on the conditions of the nineteenth century, the existing county and city jail systems do not permit flexibility for new conditions and shifting population. While some jails in rapidly growing areas are not large enough to serve without overcrowding, other jails in areas of stable population have insufficient inmates to justify their existence. In the latter category, are some jails at which the staff necessary for operation often outnumber the inmate population.

An example is one county jail where the average daily population for the past five years was

two, although the jail's capacity was 23. Other examples are jails with average daily populations of 4.7, 5.1 and 5.6 for the five-year period. Fourteen jails in Ontario had an average population of under 10 for the five years from 1948 to 1952, and many of these reported a gradual decline in jail population over that period. As a general rule, the greatest cost per inmate is incurred at jails which have the lowest average populations. The latest figures available showed that most jails operated at a cost of \$3.00 to \$5.00 per inmate per day. Only three in the Province showed a cost of more than \$10.00 per inmate per day. The first, a county jail with average daily inmate population of 4.7, cost \$12.90 per inmate per day; the second, a county jail, with a daily average of two inmates, cost \$11.97, and the third, a district jail with a daily average of 8.3 inmates, cost \$10.12. Such expenses might have to be tolerated in parts of the Province where population is spread sparsely over large areas, but there is no reason why they should be tolerated in the county jails of Southern Ontario.

A more efficient and more economical jail system could be put into operation if some such jails were closed down and their inmates sent to a more populated jail nearby. This could only be done if all

jails were operated directly by the Department of Reform Institutions. Municipalities could be charged only the cost of inmates coming from them, certainly a lower cost than that of maintaining a jail and staff.

Existing legislation provides for two or more municipalities uniting to support one common jail. If the number of prisoners confined in the jail of any county during two years does not exceed on an average four per day for either of such years, and the inspector reports to the Lieutenant-Governor that it would be proper that an agreement should be made for keeping the prisoners of such county in the jail of an adjoining county, the council of the first-mentioned county may agree with the council of the adjoining county for keeping and maintaining such prisoners in the jail of the adjoining county.

The need for this legislation -- which is acted on too seldom under existing multiplicity of control -- would cease to exist if the Province were to take over all the jails and make whatever adjustments were in the interests of efficiency and economy.

Jails which have shown a decrease in inmate population during the past five years include the following, with dates indicating the ends of fiscal years:

Brant, capacity 32 (Brantford)	- from a high of 33 in 1950 to 21.7 in 1953;
Bruce, " 32 (Walkerton)	- from 13.3 in 1950 to 9.3 in 1953;
Carleton, " 124 (Ottawa)	- from 88.8 in 1950 to 62.8 in 1953;
Dufferin, " 23 (Orangeville)	- from 2.2 in 1952 to 2.1 in 1953;
Elgin, " 17 (St. Thomas)	- from 14.9 in 1951 to 13.6 in 1953;
Essex, " 109 (Windsor)	- from 91.6 in 1951 to 70.7 in 1953;
Haldimand, " 14 (Cayuga)	- from 7.7 in 1949 to 4.3 in 1953;
Hastings, " 24 (Belleville)	- from 33.3 in 1950 to 23.8 in 1953;
Huron, " 12 (Coderich)	- from 7.2 in 1949 to 4.4 in 1953;
Kent, " 41 (Chatham)	- from 37.2 in 1951 to 26.4 in 1953;
Lambton, " 38 (Sarnia)	- from 25.8 in 1951 to 22.5 in 1953;
Lanark, " 24 (Perth)	- from 12.1 in 1949 to 6.6 in 1953;
Leeds-Grenville 28 (Brockville)	- from 18.8 in 1950 to 11.9 in 1953;
Lennox-Addington, 23 (Kapanea)	- from 8.6 in 1950 to 6.2 in 1953;
Middlesex, capacity - 81 (London)	- from 76 to 1950 to 63.9 in 1953;
Norfolk, " 25 (Simcoe)	- from 18.8 in 1951 to 16.6 in 1953;
Northumberland and Durham, " 23 (Cobourg)	- from 16.2 in 1950 to 10.1 in 1953;

Perth,	capacity 30 (Stratford)	- from 7.6 in 1952 to 6.6 in 1953;
Peterborough,	" 24 (Peterborough)	- from 25.4 in 1950 to 16.5 in 1953;
Prince Edward,	" 24 (Picton)	- from 6.2 in 1952 to 5.4 in 1953;
Victoria,	" 36 (Lindsay)	- from 11.4 in 1950 to 7.1 in 1953;
Waterloo,	" 48 (Kitchener)	- from 30 in 1950 to 23.7 in 1953;
Wellington,	" 34 (Guelph)	- from 23.7 in 1950 to 10.8 in 1953;

In considering the possibility of amalgamation of jails if placed under Provincial control, it should be noted that there are several examples of jails in adjacent counties whose combined population for the last fiscal year was less than that of one of them a few years ago, with every indication that the figures will not rise in the future.

In Northern Ontario there are eight District Jails. All but three of these have shown an increase over the past 10 years. The following are those which have shown a decrease:

Kenora,	28 (Kenora)	- from 49.1 in 1949 to 37.9 in 1953;
Parry Sound,	20 (Parry Sound)	- from 21 in 1949 to 16 in 1953;
Rainy River,	12 (Ft. Frances)	- from 10.4 in 1949 to 7.7 in 1953;

Idleness.

Under the Jails Act there is provision for employment of inmates in order that jails may serve as places of correction as well as custody. But, with the exception of a tile industry at Frontenac County Jail, Kingston, the Committee found no effective work program in any of the jails visited.

The only work provided in most jails is in the form of light duties such as dish-washing, sweeping and washing corridors, and looking after furnaces and ashes. In the summer months, a few inmates tend gardens and mow lawns. In some jails, inmates serve as cooks - a practice that cannot be condoned. Inmates also do some painting and minor repair work when necessary.

Such duties, however, keep a proportionately low number of inmates occupied for relatively little of the time. There is no work for the majority of jail inmates. They must lie around in idleness, reading magazines and comic books, smoking, playing cards and talking among themselves. Such idleness bodes ill for reformation. For many inmates it appears to be merely a rest, or a recuperation period from alcoholic excesses.

The need for an extensive work program for inmates in jails as well as other institutions is outlined in detail in the Industry section.

Segregation.

There are inadequate facilities for segregation of prisoners in Jails. While they have individual cells, they have too great a variety of types of offenders to keep them all separate. In many jails, too, the initial segregation value of individual cells is lost when overcrowding necessitates placing of more than one prisoner in a cell, and housing of some of the overflow in corridors.

Persons awaiting trial, including those subsequently found innocent, are afforded the same accommodation in jails as hardened offenders with long records. Some governors try to keep those awaiting trial segregated, but the segregation is not complete. While the shock of being in a jail may have a salutary effect on some first offenders, it is equally possible that the contact with experienced criminals will tend to school them and confirm them in criminal ways. The segregation problem is further complicated by the fact that jails have to house certain types of prisoners that should never go to jails at all. Mental cases are one burden, disrupting routine operation, which the jails should not have to carry. Persons remanded for mental examination by magistrates are kept in jails until they are either certified or discharged. In many instances these mental cases require specialized attention and handling which jail staffs, through lack of training and equipment, are not able to supply. They are a disturbing influence on

the ordinary prisoner, and it has been suggested that the jail atmosphere itself contributes to aggravation of mental illness.

The place for mental patients is a hospital or some refuge other than a jail, but under the present system the Governor of a jail cannot refuse to accept a mental patient if he is properly committed by a magistrate. The matter of mental cases is discussed fully in Chapter V.

Juveniles should never be housed in jails. To do so is common practice, however, in certain areas where there are no juvenile detention homes. Although some jails provide separate wards for them, the very fact that these youngsters are kept behind bars in an adult institution is, in many cases, a setback to hopes of deterring them from further crime. In many jails they are placed in cells adjacent or near to those occupied by all types of adult offenders, including ex-penitentiary men, sex offenders, habitual criminals and alcoholic derelicts. In such an atmosphere most juveniles, who are generally awaiting hearing on minor offences, cannot help but be contaminated.

Few of the jails have proper quarters for keeping female prisoners and, in some cases, they are kept in the Governor's residence. In one jail, the Committee found four females were kept in a single small room, intended to serve as a hospital, crowded with four beds, a table and an exposed bath-tub.

The housing in jails of prisoners awaiting appeals is still another burden the jails were never intended to carry. In some jails persons sentenced to penitentiary terms have waited as long as a year for their appeals to be heard. Others, sentenced to terms in a reformatory, have spent months in the local jail. This addition to the cost and confusion of operating the jails could be removed by sending the prisoners, after conviction, directly to the places to which they have been sentenced, there to await hearing of their appeals.

Another imposition on jail facilities is their use as lock-ups by Ontario Provincial Police and local police who sometimes have their own cells but prefer to lodge their prisoners in the jail. This not only complicates the security problem for the Governor and jail staff, but also adds to morale and other problems when lock-up prisoners are brought in during the night, disturbing the entire inmate population.

Security.

Many jails have only one guard on duty at night. Such an arrangement obviously is not good enough either for security or safety from fire. A single guard is vulnerable to disturbances or attempts to escape, especially if aided by outside accomplices. In case of fire, he would have to choose between the safety of the inmates and a Departmental regulation that forbids a

guard to go into a corridor of cells alone with the keys.

Although officials of the Department stated it was definite policy to have at least one guard on duty at all times, the Committee found there was no night guard at one jail visited. At another, special supervision of a man charged with murder and being held in the death cell was provided by placing a short-term prisoner in the adjacent cell. This man was instructed to press a buzzer if anything went wrong and there was no guard nearby. (The Minister and Deputy Minister remedied this situation immediately when it was brought to their attention.)

Examination of incoming prisoners is insufficiently thorough. Modern devices to aid in detecting contraband, such as the fluoroscope, are being installed in the city jails but there still are none in the county and district jails.

The suicide of a condemned man shortly before he was to hang at the jail at Cornwall underlined the need for thorough examinations in the interests of security. Although the staff was absolved of blame in that case, there was a definite weakness in the regulations. This weakness should be corrected to provide better safeguards against the entry of contraband by any means.

None of the jails visited, with the exception of the Don Jail, had an enclosure to ensure security in the reception and transfer of prisoners. The usual

procedure at most jails is for the police to bring prisoners to the door and turn them over to the jail staff. No special precautions are taken to decrease the possibility of a bolt for freedom by a prisoner on his way from the police vehicle to the jail entrance. This method was used for an escape at the Don Jail last year, before the enclosure was built, and it could easily be repeated at other jails. An enclosure should be provided at each jail into which the police vehicle could drive and, after the gate had been secured, discharge prisoners with the maximum of safety.

While individual locks on cells may be good for security, their disadvantages as fire hazards far out-weigh their advantages. It has been recommended in Chapter III that gang locks be installed in all custodial institutions.

Poor facilities for visitors constitute a security hazard. Besides providing inadequate privacy, they provide a possible means of passing contraband. The Committee was impressed with the visitors' facilities at the Tombs Prison in New York City, consisting of booths separated by unbreakable glass. The inmate sits in one booth, the visitor in the other, and they converse by telephone. Such a facility would be relatively inexpensive to install. As a means to strengthening security, this type of booth should be provided in all Ontario jails.

Basically, of course, security is one of the few things that jails have in abundance. They were built to be high-security prisons and they still fulfill that

function, with the exception of the drawbacks stated above.

Other Facilities.

Few of the jails have suitable places for chaplains and lawyers to interview inmates. Departmental regulations call for a guard to be in sight but out of ear-shot when such interviews are taking place. Space provided for interviews varies from jail to jail and often does not permit even the minimum of privacy envisaged by the regulations. The telephone method for interviews, described above, would permit proper privacy as well as improving security.

Medical examinations are cursory with little attention being paid to the possibility of incoming inmates having communicable diseases, or other ailments requiring thorough diagnosis. In institutions with such rapid turnover and such varied populations, complete and thorough examinations of all incoming individuals should be considered as essential.

Meals are generally adequate but many jails, having neither a cook nor a guard trained to act as cook, depend on inmates to prepare the food. This practice is deplorable from the points of view of diet, morale, sanitation, economy, and general efficiency of operation. With the quality of the food dependent on the ability of someone who happens to be incarcerated, there obviously can be no consistency. Good food may be virtually wasted

by poor preparation. There is no guarantee that every inmate-cook always will be meticulous in his cleanliness. It is an established fact that food is a major factor in inmate morale, and consequently in the difficulties of operating institutions. While it would be uneconomical for most jails to hire persons solely to do the cooking, it is essential that every jail at least have sufficient guards with cooks' training that a guard-cook is present to direct the preparation of every meal.

Library facilities in jails range from fairly good to utterly inadequate. The reading of suitable books is a factor in morale and in the reformative process itself. Yet jail libraries, in the main, have only old cast-off books which have been donated and which often are dirty and torn. Those jail governors who have tried to brighten up their libraries and keep their books in repair deserve commendation, but they find it next to impossible to get enough good books to set up a really satisfactory library. In the interests of morale and reformation, all jails should have attractively set-up libraries stocked with good books.

As noted in the section on Custodial Properties (Chapter III), jails lack rudimentary sanitary conveniences and inmates are required to use night pails; many employ unsatisfactory methods of decontaminating incoming prisoners; many lack proper facilities for showers and baths; and many are poorly ventilated.

In the Properties chapter it is recommended that a minimum set of standards be established to help correct these deficiencies.

Staff Problems.

Lack of a uniform policy for wages and working conditions has resulted in salaries that vary from jail to jail depending on the inclinations and finances of county councils. In some areas salaries paid by industry are far better than those paid guards. This fact leads not only to dissatisfaction among the guards, but also to difficulty in obtaining new guards of a consistently high calibre.

Guards in district jails are all paid on the Provincial salary scale that starts at \$2,240, plus cost-of-living bonus of \$120 annually. But starting salaries for guards in county and city jails range from about \$1,600 to \$2,840. In some places there is a cost-of-living bonus, in others there is no bonus. Such salaries, even the best of them, compare most unfavorably with starting salaries of \$4,063 paid new guards for doing similar work at Wayne County Jail in Detroit. Although comparison with an institution in another country may be of questionable validity, there can be no doubt that the divergency of salaries throughout the province constitutes a shocking situation. For example, there is a difference of more than \$1,000 in starting salaries at two jails little more than 20 miles apart. It is no wonder

that, at every jail visited by the Committee, the common complaint of staff members pertained to salaries.

While at first glance salary levels may seem to be a problem for routine administration, they can make a great contribution -- for good or for bad -- to all phases of custody and reformation. To get men of a high calibre in the first instance, and to keep them interested in their work, requires a salary level that is sufficiently high to attract them and to keep them contented. It must be remembered that jail guards work in daily association with offenders against the law, performing a sometimes hazardous task with heavy responsibilities. And they work behind bars -- a condition that is an initial deterrent to many who might consider entering such employment. The Committee was most pleasantly surprised to find so many extremely capable men in service as jail guards, but it clearly would be naive optimism to expect such good fortune to continue indefinitely under existing conditions.

Two steps should be taken in regard to the salaries of jail guards in Ontario: (1) they should be freed from the whims and financial difficulties of local Councils and placed on a single, province-wide basis and (2) they should be raised to a proper level.

When salaries in a jail are not what they should be, private industry quickly attracts many of the guards. If we want a continuity of dependable men and a consistently good type of guard who can command the respect

of the inmate population, we cannot escape paying the price.

There is no general program for training of jail guards. They can go to the Guards Training School at Guelph Reformatory at the discretion of the sheriff; but since this training is not compulsory, few guards are given the opportunity of taking it.

Were the Department solely responsible for the hiring of guards, they could be moved from one institution to another and thereby be better prepared for senior jobs and have many more chances for promotion. It would be only fair to jail staffs, from guards to governors, to have the opportunity of transfer to all other reform institutions.

Placing of all jails under control of the Department of Reform Institutions would permit standardization of salaries, uniforms, hours of duty and staff training. Such revision of control must be the first step toward a system that would provide the maximum incentive for a high calibre of officer to follow a worthwhile career in jail employment.

Regulations.

The regulations which jail employees are supposed to follow, provide a further example of the impossibility of operating jails under the existing system. As set out in 1950, under the Public Institutions Inspection Act, applying to jails, jailers and prisoners

under the Municipal Act or the Jails Act, these regulations include some requirements that are commonly violated and others that can only be termed wishful thinking. It is unlikely that any set of regulations could be effective as long as jails continue in their present confused and inadequate state.

Regulation 5 rules that "the jailer shall not admit to the jail any persons brought by constables or others unless such persons are accompanied by committal papers or remand orders signed by competent authority". A glaring infraction, common throughout the Province, is the admittance to jails of lock-up prisoners from Ontario Provincial Police or local police, especially at nights and over week-ends. Regulation 5 would appear to conflict with the Municipal Act, Section 383, which provides authority for the use of jails as lock-ups.

Regulation 10 rules that jailers shall ensure that various types of prisoners shall be "properly segregated according to class and sex in separate areas if the accommodation and arrangement of the jail permit". This regulation is sufficiently watered down that it is practical to carry out, and jailers do their best to comply. But the qualifying clause of the regulation merely admits that most jails are not capable of the segregation that is absolutely essential in a decent civilized society.

Regulation 22 rules that a jailer shall employ prisoners in a number of ways, including "any industrial project which may be provided at the jail". Regulation 23

rules that no prisoner shall be permitted to work more than eight hours a day. Regulation 65 rules that "a prisoner in a jail shall not idle". These regulations have a decidedly hollow ring in view of the idleness prevalent among jail prisoners.

Regulation 34 rules that no jail employee shall even enter a corridor unless another employee is present, and sets out the precautions to be taken to ensure that prisoners cannot make a successful break for freedom when a guard enters their corridor. While this is an admirable security regulation, there is no further reference here or elsewhere to what a guard should do if he were alone on duty at night and a fire broke out. If he followed the regulations he would stand by and watch the prisoners burn to death rather than freeing them before help arrived.

B. SPECIFIC JAILS

As noted above, district jails are superior in some respects to the city and county jails in the southern part of the province. Their superiority is a direct result of the fact that they are operated directly by the Department of Reform Institutions.

With the exception of this distinction in administration, the Committee's findings apply generally to all jails. The difference from jail to jail is only a matter of degree. The governors are doing the best they can within the very restrictive bounds of existing facilities and administrative machinery.

The following is a summary of conditions existing at representative jails across the Province which were visited by the Committee.

Don Jail, Toronto

Overcrowding far above the intended capacity of 381 -- 341 males and 40 females -- is common each winter. As many as 625 prisoners have been in the jail at one time but inmate population has been reduced by about 40 percent. recently through the co-operation of the Department of Reform Institutions in transferring inmates to other institutions as soon as possible.

The jail is inadequate because of the high inmate population and turnover. During the year ending March 31, 1953, a total of 20,499 persons passed through the jail -- two-fifths of all those incarcerated in Ontario. In 1952, the number was 21,500 and in 1951, it was 22,700. While these figures suggest a gradual reduction in passage of prisoners through the jail, there are indications that the trend may be upward for the year ending March 31, 1954.

Conditions at the jail have shown considerable improvement following the Royal Commission Inquiry of 1952. The Governor is commendably capable and is doing the very best he can with the facilities at his disposal. Both the Department of Reform Institutions and the City of Toronto have co-operated in trying to

relieve the situation at the Don, but the jail just does not have the accommodation to serve the demands imposed by the immense population of Metropolitan Toronto and York County.

Multiplicity of control has been the major factor obstructing improvement. The Mayor of Toronto recommended to the Committee that the Department of Reform Institutions assume complete control of the jail. He commented that civic governments in Toronto changed so often that it was almost hopeless to expect continuity in jail administration and policies.

Use of the jail farms at Langstaff and Concord by the Department of Health has resulted in considerable financial loss to the Province, and gain by the city and county. Maintenance of prisoners from the Don who would have gone to these farms but went instead to Provincial institutions since September 5, 1939, has cost the Province over \$3,000,000.

Up until August 22, 1953, other accommodation had to be found for 314,371 male prisoners, who would have gone to Langstaff at a net cost to the Province of \$2,834,524.24, allowing for the portion of Langstaff's costs that normally would have been paid by the Province. The Mercer Reformatory had to accommodate 2,015 females who would have gone to Concord

at a net cost of \$226,600.17.

If the extra cost to the Province of finding alternative accommodation for these inmates is considered as rent for the institutions, it might be that a more reasonable rate could be agreed upon and the City of Toronto charged with the balance. The Department of Health has announced its plans to return Langstaff and Concord to Toronto in the near future -- a transfer that would pave the way to easing of overcrowding at the Don Jail -- but no definite date has been set. In view of the cost to the Province and the overcrowding at the Don Jail, stemming from the Health Department's continued use of the Langstaff and Concord properties, consideration should be given to their return at an early date.

Barton Street Jail, Hamilton

This jail was built in 1870. It has accommodation for 100 (87 males and 13 females) and in 1953, the average daily population was 101.1. Prisoners are being segregated to the best of the Governor's ability. At the time of the Committee's visit, a protected unloading enclosure for prisoners was planned. Incoming inmates are given an immediate medical examination. The jail is not used as a lock-up by city or provincial police. The only work for



inmates is in the laundry and kitchen, and exercise yard permits 40 minutes a day exercise for inmates.

Control of the inmate population is more satisfactory than at some other jails because neither City nor Provincial Police use it as a lock-up, and magistrates make effective efforts to see that mental cases are removed as quickly as possible.

Fire authorities questioned the safety from fire and smoke hazards in case of emergency. Women prisoners would have to go down three flights of stairs and the individual locking system -- as at most other jails in the province -- would not permit rapid evacuation.

Middlesex County Jail, London

This is an old jail with accommodation for 72 males and nine females. The average daily population in 1953 was 63.9. The institution has no guard cook and depends on inmates to prepare food. An alarm buzzer is connected with the police department and in case of fire could be sounded at the same time the fire department was telephoned. There is a well-kept library and good exercise yards. Work consists mainly of housekeeping and gardening but an additional occupation for inmates is participating in syphilitic research being made in conjunction with the University

of Western Ontario under supervision of the jail doctor. Younger inmates are segregated. There is a good interviewing room where both privacy and security are adequate. Cell locks are badly worn and need constant attention by a locksmith.

Carleton County Jail, Ottawa

This jail has accommodation for 108 males and 16 females. In 1953, the average daily population was 62.8, about half the capacity. Dish washing and other housekeeping duties are provided for the females but none for the men. There is no library. Former reformatory and penitentiary inmates are kept in separate groups so that segregation is better than average. The jail is used as a lock-up by the Ontario Provincial Police. Ventilation is inadequate.

Essex County Jail, Windsor

Although there is accommodation for 88 males and 21 females, average daily population last year was 70.7. This was one of the best jails the Committee visited. Segregation is fairly good, since the population-capacity ratio is favorable. The housekeeping was good, as is the housekeeping at most jails; appointments and conveniences were good, and the kitchen excellent.

Stormont, Dundas and Glengarry Jail, Cornwall

This is one of the oldest jails in the Province, having been built in 1834. There is accommodation for 18 males and four females; and in 1953, the average daily population was 18.4. There is no guard cook, the governor depending on inmates to prepare the meals. Night pails are used in the cells and prisoners are employed in the corridors for painting and general work. County Council has been hesitant to modernize the jail because it is considered more or less a holding place for prisoners. Lawyers interview their clients in the cell block, sitting on kitchen chairs.

The Governor and his staff seem capable and they were exonerated of blame when a condemned man committed suicide a short time before the time set for his execution, although in such things as preparation of meals, the regulations were not strictly adhered to.

Brant County Jail, Brantford

This jail has a cell capacity of 38 (24 males and eight females) and in 1953, the average daily population was 21.7. Work in the jail is limited to housekeeping duties since there is a guard cook. There is no examination to determine if an incoming prisoner has a communicable disease. City fire

authorities have notified jail officials that the plywood lining of parts of the interior is a fire danger and have recommended certain other changes in the interests of fire prevention and the installation of a standard manually-operated fire bell, large enough to be heard in all the corridors.

There was no regular night shift at this jail at the time of the Committee's visit in September, 1953, although it is the Department of Reform Institutions' stated policy to have at least one officer on duty at night and although a night shift had been recommended locally.

Ontario County Jail, Whitby

This jail was built about 100 years ago. There is accommodation for 25 males and six females, and the average daily population during 1953 was 28. The average which during the past five years was 24.3, appears to be increasing with the general increase in population in the area. The jail is used as a lock-up by both Provincial and town police.

While the Governor is doing an excellent job considering the facilities that are at his disposal, the Committee found this jail to be the most antiquated of all the jails visited. There was no female accommodation and four women were crowded in the

hospital room, a space about 11 feet by 14 feet, with an open bathtub, leaving the jail without a hospital.

There were no lights in some parts of the building. The cells were so small that a heavy person would have trouble squeezing in the entrance and would have difficulty turning around inside since the cot takes up most of the space.

Simcoe County Jail, Barrie

This jail has accommodation for 27 males and three females. In 1953, the daily average population was 40.9, largely due to the increased industrial development of the surrounding area. The only way space could be found for additional prisoners was by putting three beds in each cell. Despite the overcrowding, the jail was well operated and clean.

Welland County Jail, Welland

This jail has accommodation for 47 males and nine females. In 1953, the average daily population was 40. No juveniles are admitted to the jail. The jail is used by the Ontario Provincial police as a lock-up. Separate rooms are available for the use of clergymen and lawyers. Extensive renovations of the County building, in which the jail is located, have brought improvement of facilities and the Governor keeps the property spotlessly clean.

Lincoln County Jail, St. Catharines

This is an old building with accomodation for 45 males and eight females. During 1953, the average daily population was 28.7. The jail has its own guard cook. The only work for inmates is house-keeping and clearing ground at the back of the jail. Lawyers and ministers use the turnkey's room and visitors talk to inmates through a grill. Both the Ontario Provincial and city police use the jail as a lock-up although there are cells in the city hall. The Governor does not accept juveniles as prisoners.

Hastings County Jail, Belleville

This jail was built in 1838 and has accommodation for 18 males and six females. In 1953, the daily average population was 23.8. There are no decontamination facilities and no detention place for juveniles, for whom accommodation is arranged when necessary in regular parts of the jail. Ministers and lawyers use the governor's office. There is no work for inmates.

Frontenac County Jail, Kingston

This jail is over 100 years old. It has accommodation for 33 males and 15 females, and in 1953, the average daily population was 20.3. No juveniles are admitted. There is no guard cook. The city uses its own lock-up but the jail is used occasionally as a lock-up by the Ontario Provincial Police. The jail had a thriving tile industry, -- the only industry in a jail that the Committee found -- and employing five inmates daily. The tiles are sold to local councils.

This work was stopped last year after an inspector deemed it unwise for security reasons, but after subsequent discussions were pressed both by the Committee and the Department, it was decided to resume the industry in the spring.

Waterloo County Jail, Kitchener

This jail has accommodation for 43 males and five females. In 1953, the average daily population was 23.7. Juvenile offenders are handled by the proper authorities and are not admitted to the jail.

Housekeeping is the only work for inmates. No precautions are taken to ensure safety of prisoners in a long walk from the road to the jail door.

Hastings County Jail, Belleville

Built in 1938, this jail has accommodation for 18 males and six females. In 1953, the average daily population was 23.8. There are no night fire drills and no detention place for juveniles. They are kept in the women's room. There are no decontamination facilities.

Like several other jails whose population runs close to or over capacity, there is no special detention room for juveniles and they are housed when necessary, in the waurters originally intended for females. Lawyers interview inmates in the Governor's office.

Victoria County Jail, Lindsay

Although this jail has accommodation for 30 males and six females, in 1953 the average daily population was only 7.1. It was the first jail visited by the Committee which had instituted a system of night fire drills. The town has its own lock-up, but uses the jail for the purpose. The matron is the governor's wife and is on duty or on call 24 hours a day, every day in the year, for which she is paid a very nominal sum.

The governor, after 31 years of service, is paid a lower salary than many less experienced men

carrying lesser responsibilities in other custodial institutions in the province.

Peterborough County Jail, Peterborough

With accommodation for 18 males and six females, this jail held an average daily population of 16.5 during 1953. The building is in good condition. Salaries are much more adequate than at the nearby Lindsay jail.

Halton County Jail, Milton

This jail has accommodation for 17 males and six females. In 1953, the average daily population was 8.6. At the time of the Committee's visit last summer, normal refrigeration facilities consisted of a cake of ice in a pan. If any hangings took place here they would have to be in an enclosed courtyard or exercise area which is plainly visible from surrounding buildings, unless structural changes were made to construct a gallows inside the building.

Kent County Jail, Chatham

This jail has accommodation for 35 males and six females. In 1953, the daily average population was 26.4. Because the jail is used as a lock-up by the Ontario Provincial Police, three or

Sudbury Jail has to discharge penniless persons hundreds of miles from home, with no provision for transportation except, through the informal co-operation of Ontario Provincial Police. (See Appendix E).

Nipissing District Jail, North Bay

This jail has accommodation for 50 males and nine females. In 1953, the average daily population was 53.4. The kitchen staff is supervised by a guard cook. There are regular fire drills but no fire alarm box. There is no immediate medical check on incoming inmates. During one year, this jail had to admit 65 mental cases. Juveniles are admitted to the jail and are kept in a cell. The only access to the governor's apartment is through the institution. When the Committee visited the jail last summer, one prisoner was entrusted with keeping special watch on another prisoner who was charged with murder. (The situation was quickly rectified).

Kenora District Jail, Kenora

This jail has accommodation for 22 males and six females. In 1953, the average daily population was 37.9. Much of the overcrowding is caused by the jail's use by local police, Provincial Police and R.C.M.P. as a lock-up. The daily average population

in the month previous to the Committee's visit was 57. Housekeeping was good.

Thunder Bay District Jail, Port Arthur

This jail has accommodation for 64 males in cells and 15 in an open type of cage downstairs. There are nine cells for females. The averagedaily population in 1953 was 161.7 -- nearly twice the intended capacity. Prisoners are unloaded at the front door of the jail with no enclosure. Juveniles are kept in solitary cells. The jail is badly overcrowded most of the time but efforts are made to segregate first offenders. A few inmates are kept busy cutting grass, looking after flowers and helping in the kitchen. The jail has a library but has difficulty keeping books in good conditions because many of the inmates tear off the covers. Some educational movies are shown by the Salvation Army. The jail has its own chef.

C. RECOMMENDATIONS

On the basis of the findings outlined above, the Committee makes the following recommendations:

1. That the Department of Reform Institutions assume control and operation of all district, county and city jails;

2. That sheriffs be relieved of all powers, direct or indirect, in connection with jails;

3. That all jail personnel be absorbed into the Civil Service of Ontario with the full benefits accruing thereby, on a basis of equality with employees of other Reform Institutions;

4. That municipalities and Ontario Provincial Police make provision for lock-ups and for maintenance of same for their own purposes to the greatest possible extent, instead of imposing upon county jails;

5. That the Department of Reform Institutions make whatever adjustments are necessary to ensure the maximum economy and efficiency in jail operation, including amalgamation of little-used jails in adjacent areas;

6. That jails be used only to house adult persons on remand and those serving short sentences, except for narcotics addicts, and any other prisoners requiring special treatment as noted in this Report;

7. That the Department of Reform Institutions take whatever steps are necessary to elevate jails to the standards recommended in this Report, including provision

for proper segregation, inmate employment, medical care, sanitation, exercise and hobbies;

8. That the Department of Reform Institutions provide facilities for visitors, such facilities to consist of sets of two booths each separated by unbreakable glass, and supplied with telephones for verbal communication.

9. That enclosures be provided at all jails to ensure maximum security in reception and transfer of prisoners.

10. That examination of incoming prisoners be more thorough, utilizing such moder devices as the fluoroscope, where practical, to intensify precautions against the entry of contraband.

CHAPTER V.

MENTAL CASES

1. JAILS USED AS MENTAL HOSPITALS

Jails are custodial institutions designed and intended to house offenders against the law. They were never intended to be hospitals and it is to be hoped that they never will be expected to serve that function. Therefore the Committee was disturbed to find in the year ending March 31st, 1953, a total of 691 mentally ill persons were housed in the jails of Ontario. Of this number, 398 were committed to jail as mentally ill and the remaining 293 were convicted on some other charge and later were certified as being mentally ill. In addition, 28 persons sent to reformatories and industrial farms subsequently were certified as being mentally ill.

This is a shocking situation that should be remedied. Evidence of jail governors throughout the Province was to the effect that jails did not have the facilities to hold the mentally ill. When such persons became violent, they had to be tied to beds. Their presence was disturbing to the other inmates and complicated problems of safe custody and inmate morale.

The housing of mentally ill persons in jails is a convenience which should not be tolerated. Be-

sides being unfair to the jails, it is grossly unfair to the individual involved. Any law abiding citizen of Ontario, who is mentally sick may be stigmatized by a period in jail, with consequent embarrassment to his family. It is a contradiction to our traditions and standards that persons who are sick from the eyebrows down go to a hospital, while those who are sick from the eyebrows up are forced to go to jail.

2. EXISTING PRACTICES.

When a person submits voluntarily to a mental examination there is no difficulty as to where he should be temporarily detained. Jails can and do become involved, however, when a person does not voluntarily submit to examination. The procedures under which such a person may be held in a jail are set out in the Mental Hospital Act.

Under Section 25, there are two methods by which a person suspected of being mentally ill may be apprehended, held and subsequently brought before a magistrate. Information may be laid before a Justice of the Peace, a warrant issued and the person then apprehended; or, if a constable or peace officer finds a person in a public place "conducting himself in a manner which in a normal person would be disorderly", he may apprehend him without warrant. In either case, he is to be de-

tained "in some safe and comfortable place", pending appearance before the magistrate.

The magistrate is required to start enquiries immediately into the question of the person's mental condition. He also is charged with the proper care and custody of the person, for whatever time is necessary to have examinations conducted and reports delivered by duly qualified doctors. The magistrate has the alternatives of directing that the persons be confined in "some safe and comfortable place, or in the custody of the constable or other person who apprehended him, or such other safe custody as the magistrate deems fit."

Section 35 of the same Act prescribes another procedure that a judge or magistrate may follow where the person has been charged with an offence. (It should be noted that mentally ill persons are often charged with nominal offences, such as vagrancy, as a means to their detention and examination.) The magistrate may order that the person be removed to a convenient mental hospital, hospital school, or examination unit and there examined. Under such an order the person may be detained for not more than sixty days, unless the examination during that period results in his certification as mentally ill or mentally defective,

in which case he is detained as a certificated patient subject to all the provisions of the Mental Hospital Act.

Under Section 28, the magistrate has discretionary power to order further examination, discharge a person, or remand him to a mental hospital or similar place for up to sixty days if he is not satisfied that the person is mentally ill or mentally defective. He has this alternative regardless of whether or not two doctors agree that the person should be certified.

Under these Sections, there would appear to be sufficient legislation to ensure proper detention and disposition. In practice, however, magistrates regard jails as "a safe and comfortable place", and in the majority of cases remand those suspected of being mentally ill to the local jail for examination. This is a convenient method but a most unsatisfactory one. The existing legislation takes great care to protect the individual's rights and liberties, and the safeguards against improper certification are impressive. The use being made of the legislation is most detrimental to the individuals it tries to protect. It is no more logical to examine persons suspected of being mentally ill in a jail than it would be to examine persons suspected of having a tumor in a jail. Those who are sick, or appear to be sick,

should go to a hospital, whether the sickness in question is physical or mental.

Jails are literally safe and comfortable places for ordinary purposes, but they lack such facilities as padded rooms and restraining jackets that are necessary to ensure the safety of one who may be mentally ill. There is also considerable question as to whether they are comfortable for mental patients from the medical and psychiatric points of view. The definition could more accurately be interpreted to mean private homes where competent personnel are available, or, better still, the nearest hospital. Magistrates find that hospitals are unwilling to take such patients, even if space is available, because of the difficulties of guarding them.

Provincial legislation enacted in 1952 makes provision for Provincial grants of either \$8,500 per bed, or 66 2/3 per cent of the per bed cost to any hospital that provides a detention unit. An additional grant is given by the Dominion Government for such purposes. Yet fewer than a dozen hospitals in the Province have availed themselves of these grants to date. Committee expresses the hope that more hospitals would establish detention units if the Province carries out a plan which has been considered to provide maintenance grants in addition to the Capital grants.

Under the existing practice, mental patients are detained in jails not only until certification takes place, but also for a further period while proper documents are transmitted by the magistrate to the Deputy Minister of Health, and the Deputy Minister issues his warrant permitting admission to a mental hospital. While some legal authorities contend the delay is a good one in that it preserves the rights of the individual a little further, the Committee believes any benefits are more than offset by the evils of the practice. An emergency procedure for violent cases is seldom used by governors and magistrates, perhaps because they are not aware of it. If the certifying magistrate, on the advice of the governor, telephones Toronto outlining the particulars of such cases, the Deputy Minister may telegraph special permission enabling transfer immediately to the most convenient hospital. Certain magistrates make commendable efforts to hasten the transfer of obviously mentally ill persons from jails to hospitals. There were other instances, however, where remands took place for several weeks during which time the persons was held in the jail. The Committee was particularly impressed with the practice of magistrates in Hamilton and Toronto, who, when circumstances

warrant, try to have a person certified and transferred to mental hospital within a day or two of his apprehension.

(The Committee noted with concern that of 295 persons admitted to the Don Jail, Toronto, for mental examination during the last fiscal year, 44 were post-war immigrants and 38 of these were certified and hospitalized. The Honourable Walter Harris, the Minister of Citizenship and Immigration, took an immediate interest in this situation, and, at his request, the Committee furnished him with full details. He said that experience had shown that most of those having a mental or physical disability had acquired them after their arrival in Canada but he promised an investigation of the adequacy of immigration screening. He pointed out that, under certain circumstances, such people were liable for deportation.)

It is apparent that Section 35 of the Mental Hospital Act, involving transfer to a hospital for examination, is the section that should be used whenever possible when dealing with mental cases, who appear before a magistrate; that the "safe and comfortable place" envisaged by the Act is open to loose interpretation; and that suitable facilities for detaining mental cases

pending examination and either discharge or removal to a mental hospital, are not available in many localities. Many magistrates appear to make little use of Section 35, if they use it at all. Jails, which are completely unsuited for housing mental patients, are commonly designated as "safe and comfortable places" under the Act. Very few general hospitals have the detention wards necessary for the housing of mental patients.

RECOMMENDATIONS.

On the basis of the findings outlined above, the Committee recommends:

1. That magistrates be encouraged to use the procedure outlined in Section 35 of the Mental Hospitals Act whenever possible when dealing with suspected mental cases.
2. That "a safe and comfortable place" under the Mental Hospital Act should be defined fully so that hospitals shall be preferred and jails shall come within the definition only as a last resort.
3. That General Hospitals in all localities be encouraged to establish detention units re housing of mental patients.

CHAPTER VI

THE CUSTODY AND REFORMATION OF INMATES

1. GENERAL AIMS AND PRACTICES

There are two basic aims of the reformatories and industrial farms; to keep inmates in safe custody and to reform them. In recent years, the reformative aspect has tended to take precedence, and rightly so, for the long-range protection of society can best be achieved through reformation. It now is recognized that custody is not always necessary, that society can do itself the most good in selected cases by not exacting the penalty of loss of freedom but instead seeking to effect reformation while the offender is at liberty. For those on whom custody is imposed, institutional programs are designed with the purpose of reformation wherever possible.

In assessing the two basic aims, care must be taken not to stress one at the undue expense of the other. The Department of Reform Institutions has endeavoured to keep them in proper perspective, effecting satisfactory custody, while, at the same time, striving for reformation, rather than a system of close-security prisons. The Department's policy of open institutions, has been largely justified, and is to be commended.

However, the results of reformative efforts have not been good enough. The great proportion of offenders in reformatories and industrial farms - about 80 percent. -

is made up of persons who have offended before, and are likely to offend again. The measure of the success or failure of a reformative system is, of course, the extent to which its "graduates" become good citizens and do not return to crime. The high rate of recidivism indicates that Ontario's reform institutions are not doing sufficient reforming. Their failure can be attributed in considerable measure to an inheritance that has come down through the years and that cannot be offset in a year or two. It is possible that the program now being carried on in reform institutions will be shown, by the results that manifest themselves in future years, to be more successful than it now appears. There can be no doubt that many steps taken in the past few years have been commendable -- such as the establishment of more industrial farms, the establishment of a top-flight reformative institution at Brampton and the extension of counselling and rehabilitation services -- but there are no indications that these measures are any more than a beginning toward solving the complex and multitudinous problems involved.

Throughout its investigation the Committee has concentrated its efforts on an examination of the reformative and custodial systems as a whole and, of course, study directed toward the most likely solutions of a number of general and specific deficiencies. Representatives of the Department of Reform Institutions have attended a great

many meetings and their presence and testimony have been most welcome. The Committee noted with interest that the most recent annual report of the Department, which was tabled at the current session of the Legislature, contained a number of recommendations concerning aspects of the Department's operation that had been examined and discussed by the Committee in public meetings. In the main, these recommendations coincided with decisions which had been made by the Committee as recommendations for inclusion in this Report.

The greatest general failing in the Department's policies and operations has been the lack of a clear distinction between those who are capable and willing of reformation and those who have no wish to reform and to all intents and purposes are beyond reformation. The need for such a distinction is basic to the most efficient program of reformation as well as to the best possible type of custody. It permeates consideration of everything in the system. Without proper distinction between these two groups, the non-reformables are given much the same treatment as reformables. The result is that the non-reformables are not treated as severely as they deserve to be treated, and the reformables are placed in an atmosphere where reformation is difficult and unlikely.

Throughout this report recommendations are made to carry through a distinction between the two groups to

the benefit of society and of the individuals concerned.

First, there should be a Reception Centre to establish, as far as is possible, which are the reformables and which are the non-reformables in the course of prescribing treatment for each individual. Then there should be proper segregation in institutions, special treatment for those requiring it and a carefully-designed program that will give the most suitable treatment to each individual in accord with the general aim of protecting society.

2. RECEPTION CENTRE

Existing Facilities

The only unit in the Provincial system designed and used solely for reception of incoming inmates is the Reception Wing of the Ontario Reformatory, Guelph, which receives all new arrivals up to the age of 25 who are serving sentences of six months or more and are considered fairly good prospects for reformation. These include two groups -- all first offenders up to that age, and repeaters under 21 whose records are mild.

The Superintendent of the Institution decides which new arrivals are to go to the Reception Wing. In practice, he sends all except those whose previous records, in courts and in institutions, involve such violence, insolence or persistent lawbreaking that they would be likely to contaminate the others.

The basic purpose of the Reception Wing, which was established in 1947, is to select inmates for transfer to the Ontario Reformatory, Brampton.

The Reception Wing is operated under the direction of the Superintendent of the Guelph Institution. One guard, carefully chosen for his suitability to reception work, is in general charge of the Wing. Except for him, the Wing is operated

by members of the regular Reformatory staff.

Although there is accommodation for 70, the number of inmates in peak periods seldom exceeds 50. The average population is 30. Excess space in the Wing never is used for ordinary Reformatory inmates. For their average stay of two to three weeks in the Wing, the new inmates are kept segregated as much as possible, although they sometimes are sent under special supervision to work in such industries as the cannery at times when there is a shortage of available labor.

On arrival at the Reception Wing, inmates are given complete medical examinations. The Chief Psychologist interviews all inmates personally and supervises the conducting of a series of tests, and from this data he prepares a psychological report. The senior schoolteacher examines and tests them for preparation of educational reports. Further reports are obtained from magistrates, police, school and church officials and other reliable sources. Pre-sentence court reports are obtained when available. The guard in charge of the Wing and an Assistant Superintendent of the Reformatory add their findings and recommendations. All this information is combined in a case history of each inmate.

A Classification Committee, composed of psychiatrist, chief psychologist and the Superintendents of the Reformatories at Guelph, Mimico and Brampton, meets at the Guelph Institution approximately every ten days to interview the Reception Wing inmates and study their case histories. In addition, those new arrivals who were deemed unsuitable for the Reception Wing are given an opportunity to appear before the Committee and their case histories, compiled for previous incarcerations, are reviewed. If an inmate is particularly sincere, co-operative, anxious to reform and able to absorb training, and is adjudged a good security risk, he is sent to the Ontario Reformatory, Brampton, for an advanced type of reformative program. If he does not measure up to these standards, he is absorbed into the regular population at the Guelph Institution. About 900 inmates are received in the Reception Wing each year and slightly more than 200 are selected for transfer to Brampton.

2. The Value of Reception Facilities

The principle behind such a classification procedure cannot be questioned. A careful study of each incoming inmate is essential to the effectiveness of segregation, security and any program aimed at reformation. Proper studies should (1) classify

such groups as sex perverts, alcoholics, drug addicts and the mentally unbalanced as a basis for segregation; (2) provide an insight into the attitudes, personality, motivation and aptitude of each man, thereby providing the basis for an assessment of individual security risks; and (3) by collecting and consolidating all available information, give a fairly exact indication of the type of program that will most encourage reformation of each individual. In brief, the Reception Centre should receive, study, diagnose and recommend treatment.

It is impossible to over-emphasize the need for detailed and individual studies of each inmate. When such studies are not available, institutions must give much the same treatment to young and old, penitent and recalcitrant, minor offenders and hardened criminals. That this situation should have been allowed to persist in most of our institutions is regrettable, and to allow it to continue in future would be absurd. Classification forms the foundation for successful custody and successful reformation. As pointed out in Chapter 1, it is in the best interests of both the offender himself and society, as a whole, that most convicted persons be regarded as socially or morally ill, or perhaps retarded, and be treated accordingly.

If society is to be protected to the maximum extent, and if offenders are to receive treatment that will induce them to become good law-abiding citizens, there is no alternative to a thorough reception procedure.

Throughout its investigation, the Committee was impressed with the basic value of early classification on a scale that could be effected only by a well-staffed Reception Centre. Expert opinion was found to be in full and unanimous accord.

Dr. T. P. Dixon, director of the Mental Health Clinic, Sudbury, and consulting psychiatrist at Burwash Industrial Farm, said the inmates at Burwash could be divided into seven distinct categories. Yet under existing conditions, there could be only rudimentary differences, if any at all, in the treatment accorded these divergent groups -- the sexually retarded, those whose troubles stemmed from marital disharmony, those with neurotic personalities, and those whose troubles were rooted in physical handicaps. He urged strongly that there should be more exact recognition of individual differences, with treatment varied accordingly.

Sanger B. Powers, Superintendent of the Wisconsin State Reformatory, made these comments in an address to the Congress of Correction in Toronto

last October:

"Certainly the primary purpose of a modern correctional institution must be that of taking an anti-social group of people and, by utilizing all the facilities available, to help prepare them to assume the responsibilities of citizenship.

"Institutional education, to be significant, must serve to implement the only type of program which offers a reasonable chance of success and which will afford society the maximum and most lasting protection -- a treatment program which is individualized and which emphasizes rehabilitation, vocational training and education. I refer here to education in a broad sense -- education for living.

"Certainly any treatment plan must relate to the specific needs of each individual offender, to his personal and personality problems, to his aptitudes and skills, to the type of employment likely to be available to him on release."

Dr. A. W. MacLeod, associate professor of psychiatry at McGill University, who based his findings on his study of law, psychiatry and sociology supplemented by active work in John Howard Societies and the British Institute for the Scientific Study and

Treatment of Delinquents, was most emphatic in his support of full reception facilities. In testimony, before the Committee, Dr. MacLeod said:

"I want to make it very clear now that as far as the psychiatrists are concerned, they do not say that all people who commit crime are abnormal, but they say that normal people can commit crime, and they can be intimidated by certain types of punishment, but, nevertheless, there is a large number who commit crimes of certain nature because of mental instability or of physical illness. You might find the same thing in a fever ward, where there is a large amount of cross-infection. If you put youngsters where there is not the proper segregation, you might institutionalize them into certain habits.

"We feel that one of the most important reform steps which you could take is the setting up of a proper diagnostic investigatory panel which would show to the younger adults, a wide variety of stimuli and would bring about their emotional maturation."

The 1952 report of the California Department of Corrections -- a department that has attracted world-wide recognition as a leader in penology -- made the

following statements:

"If the program of an adult correctional system is to be of the greatest usefulness and value in the subsequent lives of the offenders, three procedures must be included therein. These are, first, the diagnosis of prisoners, or what has been called their classification, as a basis for institutional segregation and assignment. The second is guidance. That is, the inmate must be helped or guided to understand and accept his institutional program. Third, there must be professional employees and adequate facilities for training and treatment in prison to bring about those changes in personality necessary to improve the likelihood that the inmate will adjust satisfactorily to institutional life and conduct himself as a good citizen on his return to society."

Mr. Joseph McCulley, former Deputy Commissioner of Penitentiaries for Canada, was one of several witnesses who commended the emphasis placed on initial classification in the California system. He told the Committee:

"I had the pleasure of visiting an institution which, from my point of view, is one of the most interesting and most satisfactory and most

successful experiments in penology of which I know, and which is being operated at the California Institution for Men, at Chino, just outside Los Angeles.

"There are 1100 men there, serving varying lengths of sentences, and for every conceivable crime. This is a minimum security institution of the most modern sort. There is only one door with armed guards on that entire 2600-acre property.

"You may ask: 'What is the secret of that?' The whole secret -- and this is based on an intelligent approach -- is in the proper classification of your prisoners."

The institution at Chino also was singled out for praise by Maj. Gen. Ralph Gibson, Commissioner of Penitentiaries for Canada, in an address to the Congress of Correction. Maj. Gen. Gibson said it was the sort of institution that Canadians could well study carefully in relation to future programs in this country.

Other bodies appointed to investigate problems of custody and reform have arrived at the same conclusions as has this Committee in regard to the need for a Reception Centre.

In recommending an extensive unit for classification in its own province, the Saskatchewan

Penal Commission remarked in a 1946 report:

"Obviously an intelligent decision as to which type of custody and what program of retaining each prisoner needs can be reached only on the basis of a study made at a reception or classification centre where the prisoner is sent after committal."

The Royal Commission appointed to investigate the penal system of Canada, under Mr. Justice Archambault, recommended in 1938 that there should be thorough classification of incoming prisoners. The Commission's report stated:

"Classification and segregation form a fundamental basis of all reformatory treatment."

In view of the vast and indisputable evidence,
the Reception Wing at Guelph must be regarded as a
step in the right direction but one that obviously does
not go far enough. The staff has not sufficient
variety of personnel, and the time inmates spend there
is not ample for thoroughness. The Wing serves only
Brampton and part of the population at Guelph; no
benefits from it are derived by the institutions at
Burwash, Monteith, Burtch, Rideau and Mimico. Nor
is there a corresponding organization, even on a small
scale, for the women at the Andrew Mercer Reformatory,

Toronto. The existing wing is not capable of the valuable research that such a unit should perform in regard to delinquent behaviour and institutional programs. Classification at institutions other than Guelph is practically non-existent although individual superintendents make conscientious efforts to effect segregation in a non-professional, somewhat haphazard way.

To observe the operation of a more extensive reception and classification unit, the Committee visited the New York State Reception Centre at Elmira, New York. The Committee was most impressed with the program there. Inmates stayed for an average of ten weeks, of which six were occupied in detailed and intensive study by a highly-skilled staff. There were three psychologists, two psychiatrists, a medical doctor, three academic supervisors, three vocational supervisors, two physical education and recreation supervisors, a Protestant Chaplain and a Roman Catholic Chaplain, as well as highly trained custodial officers. The Classification Board, made up of representatives of this group, met each week to discuss 25 to 30 men who had gone through the program and were ready for allocation. The members of the Board had a wide variety of specialized viewpoints, based on personal interviews and group work. Their routine administrative responsibility had been

reduced to a minimum so that they might devote most of their time to the important work of study, diagnosis and research.. Disposition of each case was decided by a majority vote of the Classification Board.

An expanded Reception Centre in Ontario, somewhat similar to that in New York State, would be of great benefit to efficient custodial care and reformation in the Province. Although such a Centre would be costly to operate, it could be expected that eventually this cost would be more than offset by savings in custodial costs. At any rate, the value of reformation of individuals cannot be reckoned in dollars.

The operation of the Reception Wing at Guelph should be regarded as a pilot project to form the basis for expansion.

The staff of an expanded Reception Centre should include more psychologists and psychiatrists to ensure that sufficient individual attention is given to each case. Inclusion of academic and vocational training experts on the staff is obviously desirable for the purpose of reformation. So is the inclusion of Chaplains, since religion can play such a large part in the new life of an offender against the law; and of recreation experts, since in this age of the 40-hour week the constructive use of leisure time is vital to

the leading of a law-abiding life.

Along with the expansion of the reception organization, facilities should be provided to ensure that its benefits extend to all inmates sentenced to institutions in Ontario. In the initial stages of expansion, the services of the Reception Centre should be restricted to young first offenders, including both male and female. Later, the restriction should be raised to include all first offenders and finally all repeaters who might benefit. Only by establishment of such an extensive Reception Centre, along with other means recommended in this report, can Ontario do a fully satisfactory job of reforming individuals and protecting society against the repetition of crime.

The time inmates spend in the Reception Centre should be long enough to make thorough study possible. The minimum for this purpose is six weeks to two months, although it might be necessary to give short-term inmates an abbreviated study.

One of the problems which must be met is the location of such a Centre. While there are advantages to housing it in the buildings of the Ontario Reformatory, Guelph -- provided there is complete segregation of Reception Centre inmates from regular reformatory inmates -- it must be borne in

mind that expert personnel is more readily available at University centres.

3. Recommendations

Accordingly, the Committee recommends:

1. That a full-scale Reception Centre be established to receive, study, diagnose and recommend treatment for all first offenders aged 16 to 25, male and female, sentenced to provincial institutions.
2. That the length of stay be six weeks to two months, except for short-term prisoners;
3. That facilities be extended in the future to receive all first offenders and all repeaters likely to benefit.

3. SEGREGATION

The Department of Reform Institutions recognizes the value of segregation by the functions assigned to its various institutions. The Ontario Reformatory, Guelph, handles only inmates under 21 and first offenders of all ages. The Ontario Reformatory, Brampton, handles only a selected group of young men, almost invariably first offenders, who are considered particularly good prospects for reformation. The Industrial Farms at Rideau, Burtch, and Monteith, and the Ontario Reformatory at Mimico, handle repeaters over 21 with relatively short sentences. The Ontario Reformatory, Burwash, houses repeaters over 21 with longer sentences. All female adult offenders are housed at the Andrew Mercer Reformatory. In jails, however, segregation is not even as exact as this. While the governors may attempt to segregate as much as possible, in overcrowded jails, it is impossible to keep entirely separate the various types of inmates including those who have not been convicted, impressionable first offenders, hardened criminals, alcoholics and drug addicts.

One of the major defects of the existing system is the lack of sufficient segregation and

the subsequent contamination of less experienced inmates by incorrigible repeaters. To place a young "accidental" criminal, who may be reformable, in proximity with a person who has offended many times can be disastrous. An obvious example is Guelph, where there are youths of 19 or 20 who already are hardened criminals and psychopaths. For several years, crime has been their main object in life and they have no intention of changing their ways. They are willing and anxious to impart to young first and second offenders, and, in fact, to first offenders of all ages, the knowledge of crime which they possess. Efforts at segregation in the main have not been effective and have not been sufficient to prevent the schooling in crime of many who might otherwise have reformed.

Similarly, in the institutions for repeaters, degrees of reformability are not recognized by segregation; nor is such the case in the Andrew Mercer Reformatory. Without proper classification, it is not possible to carry out highly desirable segregation to the greatest possible extent.

The long-range expense, both in human values and in dollars, is deplorably high as a result of insufficient segregation. Hopes of reformation

are placed in jeopardy. Only at Brampton, where the best of the reformables are housed in an institution by themselves, is segregation not a factor in hindering efforts at reformation. The Brampton inmates are not the only ones who can be reformed if the proper treatment is applied, and much finer segregation is needed in the interest of reformation throughout the system.

Segregation as it now exists in institutions other than Brampton, is based on records, ages and lengths of sentences. These are good guides for a rule-of-thumb type of segregation but they do not make for exactness. While easing custodial problems, they are not adequate to form a framework for reformative efforts. The type of segregation that is needed must be based on a thorough study of individual inmates -- the type of study that could be made by the Reception Centre, recommended in Chapter VI, as well as the superficial factors of records, ages and sentences. Then the segregation must be carried out in a definite and complete manner, without intermingling of different groups. Sex deviates, mental cases and psychopaths should be set entirely apart from the general inmate population; provision should be made for segregation and treatment of alcoholics and drug addicts; and the inmates who are willing to

reform and are likely to respond to reformative treatment should be kept separate from those who are not willing to reform and are not likely to respond.

The purpose of segregation is to ease problems of both custody and reformation by two means: by placing those who need special treatment in an atmosphere where such treatment is most likely to be effective, and by guarding against contamination of some inmates by others.

Recommendations

In accordance with the findings outlined above, the Committee recommends:

1. That segregation be based on thorough study and classification carried out in a Reception Centre.
2. That particular care be taken in the segregation for proper treatment of sex deviates, the mentally defective and mentally retarded, alcoholics, and drug addicts; that psychopaths be segregated from the general inmate population; and that reformable inmates be kept separate from those not likely to reform.
3. That segregation within institutions be complete, with no intermingling of different groups.

4. DORMITORIES

It has been noted in Chapter III that the Committee recommends replacement of all temporary buildings that contain dormitories, with permanent structures providing individual cell accommodation.

The testimony of both custodial officers and inmates impressed on the Committee the inadequacies of dormitories. Their widespread use in reformatories and industrial farms cannot be justified. With very few exceptions, this type of accommodation is not consistent with the most effective operation of a reformatory system and it adds to problems of custody and security.

The indictment against dormitories is particularly strong because of the lack of sufficient segregation in most custodial institutions. When sex deviates and psychopaths are housed in the same room with offenders who are not confirmed in criminal ways, contamination is inevitable to the detriment of possible reformation. The claim that reformatories and industrial farms are finishing schools for criminals is often exaggerated, but it contains a considerable element of truth. Under existing conditions, aggravated by the use of dormitories, superintendents strive to reduce the amount of contamination as much

as possible but they are powerless to cut it to a minimum.

Certain criminals and psychopaths in many cases become the dominant figures in dormitories. Through spending a good deal of time in close association with other inmates, they are able to exert influence that stirs discontent, endangers morale and in many cases destroys efforts at reformation of any of the other inmates in the dormitory. The close association also increases the likelihood that inmates' complaints will be compared and concerted actions planned.

In individual cells, such dangers are of lesser consequence. In addition, it is possible for inmates to have the solitude and privacy that enables them to read and write letters, and can encourage them to think through their problems and to strengthen their determination to mend their ways, without the interference of undesirable influences.

Recommendation

In accordance with the findings outlined above, the Committee recommends:

That the Department of Reform Institutions establish a policy of providing accommodation

in individual cells rather than dormitories in all adult institutions, such policy to be implemented over a period of years.

5. IDLENESS

One of the greatest problems besetting custodial institutions is the idleness of inmates and the lack of segregation. The problem is grave alone, and when combined with a lack of proper segregation, the result is a compounding of evils that hinders efficiency of custody and tends to block reformation.

There is widespread waste of productive manpower in Ontario's custodial institutions. More than 1,122,000 man-days are spent in custody in these institutions annually and the majority of the potential working hours are not utilized. The economic loss is obvious, but the more important loss is the thousands of hours spent in day-dreaming, scheming, malingering and worse. That loss is incalculable in human values, in lost production and in its contribution toward recidivism.

The enforced idleness of a substantial percentage of able-bodied adult men and women in our institutions militates against the constructive aims of institutional programs. It is one of the direct causes of the tensions which can burst forth in riot and disorder.

In years past, in some countries, there have been abuses of inmates' labor such as its use in sweatshop industrial activities. In eliminating these evils, the tendency has been to come close to eliminating all kinds of labor -- good as well as bad. Yet it is clearly against the public interest to maintain inmates in idleness while they deteriorate physically, mentally, and morally. Such inmates constitute a heavy and unnecessary burden on the taxpayer. Productive labor can substantially reduce the costs of prison operation.

Even more important than the immediate costs of inmates' idleness are the costs of future crimes committed after discharge, following months or years of deterioration, with neither the ability nor the will to earn an honest living. This deterioration, moreover, is not always a slow and quiet process. After a thorough study, the American Prison Society reported on this subject last year that "students of mental health have always recognized the importance of interesting and satisfying work as a basic factor in maintaining emotional stability. When agitators strike the spark that starts a riot, idle prisoners flar into revolt as dry and crumbling tinder bursts into flame."

Idleness is reduced in varying degrees in reformatories and industrial farms through productive operations as outlined below. In jails, however, idleness is deplorably widespread. In only one county jail did the Select Committee see or hear of a practical approach to the problem. At Frontenac County Jail, Kingston, inmates produced concrete tile for municipal use. Officials of other jails seemed alive to the necessity for greater employment of inmates but they had not reached practical solutions. The greatest difficulty would seem to be that inmates of jails are there for very short terms. In addition, there are many who have not been convicted but merely are being held pending a remanded hearing, and Statutes forbid custodial officers to require such inmates to work. Thus, work requiring any degree of training is almost automatically ruled out. Despite practical difficulties of solution, the fact remains that idleness hampers the morale of both the inmate population and the staff, and it obstructs rehabilitation. There seems to be an attitude that jails were a losing proposition when the contrary could be made possible in some cases.

The solutions to problems inherent in inmate idleness lie in work programs. It is of interest to

note that in Britain a "short, sharp" 30-day sentence has been found to be effective in some cases in that it keeps inmates busy from the time they awaken until they sink thankfully into bed at night. There is no brutality, no real hardship -- just a thorough employment of the inmates' every waking minutes. They work hard, have extremely little time to themselves and tend to end their sentences with a hearty resolve not to return.

Such sentences are what used to be called "hard labor". In Ontario institutions today, although the courts sometimes prescribe "hard labor" as part of the sentence, such a thing does not exist.

Recommendations

Detailed recommendations toward the solution of inmates' idleness are contained in the section below. As a general approach to the problem, however, the Committee recommends:

1. That the policy be established in all custodial institutions, including jails, of providing work for all able-bodied inmates.
2. That in view of the nature and purposes of custody in contrast to living at liberty, the normal work week for inmates be set at 48 hours, except when the reformati~~ve~~ve program unquestionably requires that it be shorter.
3. That provision be made for the re-institution of "hard labor" for inmates who have been sentenced to same.

6. PRODUCTIVE OPERATIONS

General

Productive operations provide the obvious solution to the problem of idleness, and the Committee advocates strongly that this solution be pursued in all custodial institutions in the province. In addition to the benefits to the custodial and reformative programs derived from industrial and farm programs, there is an additional benefit to the tax-payers. It would be just and logical to require those who have offended against the law to perform enough work to pay for their own room and board, or come as close to paying for it as possible.

The Committee has no wish to re-institute the chain-gang type of labour that once was common in some countries. Nor would it wish to set up inmate labour in unfair competition to free labour. But the labour organizations as well as the general public have been most co-operative in recent years in regard to carefully selected inmate industries, and their further co-operation should be sought in expanding the industrial and farm operations at Ontario custodial institutions to the practical limit without competing with free workmen.

A variety of industrial operations already is in operation. This variety should be further extended so that all able-bodied inmates will have a job to do. To this end, a study should be made of the wide and complex field of the industries that might be considered suitable for inmates, such studies to be completed as soon as possible. Extension of industries should be carried out in accordance with its findings. The ideal type of extension would be to set up a number of small industries in each institution.

For those unable to do the heavy labour, light labour should be available. Malingering must not be tolerated.

Inmate labour might well be used, without objection from organized labour, for reforestation projects in green belt areas, and on similarly-needed public projects.

As was noted in Chapter III, construction and repair jobs on the properties themselves provide an opportunity for employment. There are many such jobs that could well be done by institutional inmates, which are now done by outside workmen. Our institutions generally are large enough that enough semi-skilled, even skilled tradesmen are to be found within the

population, as well as a great deal of unskilled labour available from the general pool. More effort could be made to utilize all this labour fully, providing there is no competition with free labour.

The Committee has recommended that many temporary buildings at custodial institution be demolished and gradually replaced with new and permanent buildings. Here is an opportunity for immediate employment of some inmates at several institutions, while the survey for long-range extension of productive activities is under way.

Included in the survey would be consideration of the vast market within the government itself. Where an often-purchased article is found that could easily be produced within our institutions, then every effort should be made to produce such an article in one or more of our institutions. Desks for government offices are one such item that comes to mind -- there are many others and a close survey would reveal them.

Industries

(a) Industrial Farm, Burtch

Considerable idleness was witnessed at this industrial farm and there appeared to be a nearly total lack of an industrial program. Farm production is insufficient to employ a large number of inmates for

reasons explained in Chapter III. The Department hopes soon to bring into operation a tailor shop which would employ 25 men. A concrete tile-making plant, also underway, would employ another 25 inmates. However, it must be pointed out that even this program, when completed, would provide specific productive duties for only 50 of the average 181 daily inmates. More industry is urgently required, preferably including a number of light industries in which those not physically strong could participate.

The total cost of the Burtch operation in one year was more than \$231,000 but in the same year, it could produce only \$9,000 worth of farm products.

(b) Burwash Industrial Farm

The chief industries carried out at Burwash are farming and lumbering, with some furniture manufacturing, garment-making, and similar minor industries. The relating vocational training to the metalworking shops is commendable and production here might well be stepped up.

Operation of the quarry is inefficient. It employs about 30 men, and could be increased through better organization. A good stone crusher is essential for this work. The stone produced could be used on nearby highway construction.

Total value of industrial and farm production was only \$290,000 as against costs of \$1,400,000.

The new sawmill and leases held by the Department from the Lands and Forests Department are geared to an annual production of 500,000 board feet yearly. This should be doubled with the sawmill capacity increased as necessary, extension of leases sought, and logging operations carried on throughout the winter as well as summer.

Sawmill practices should be made much more efficient. Excessive waste in hardwood cutting should be eliminated, proper conveyor belts installed at essential points and better handling of lumber between the trimming and sorting operations.

Tree planting should be greatly stepped up, possibly as high as 50,000 new trees annually, and reforestation generally undertaken on a larger scale. Hemlock stands should be cut and better utilization of all timber initiated.

Only some 160 men out of a total average daily population of 680 are employed in lumbering. This number of usefully employed men could be greatly increased by the expansion of the industry already recommended.

(c) Ontario Reformatory, Guelph

Guelph Reformatory is by far the best of Ontario's institutions in the matter of industries. The time of the inmates would seem to be well organized productively with many commendable operations being carried on. That the provision of industries does have merit is provided in figures that show this institution produces nearly \$1,700,000 worthy of goods or nearly 68 percent. of the total cost of its operation.

Following is a summary of the industrial activities:

License Plates: - All Ontario's license plates are manufactured by inmates at Guelph. This year, a total of about 1,750,000 pairs will be produced. The industry employs approximately 50 men practically all the year round.

Abattoir: - About 35 head of cattle and 50 hogs are slaughtered each week. They are processed and shipped to other reform institutions and mental hospitals. About 25 men are employed full time.

Cannery: - Fruits and vegetables, jams and jellies, are canned for use in the reform institutions. Annual production is about two and one-half million pounds. An average of about 35 men are employed the year round.

Machine Shop: - All the bed frames and bed springs used in the jails, reformatories, industrial farms and mental hospital throughout the Province are manufactured here. Approximately 20 men are employed.

Woodworking Shop: - A large amount of office furniture, sash and doors, window frames, and other woodworking are produced by 25 men. These products receive finishing and upholstering as required in the upholstering and paint shops.

Tailor Shop: - Inmates' clothing, shirts, sheets, and towels, blankets, mattresses, and officers' uniforms are produced by an average inmate staff of 90.

Woollen Mill: - The mill annually produces 10,428 blankets and 24,097 pairs of sock, imported as well as domestic wool.

Laundry:- About 670,000 articles are processed annually, of which 107,000 are for the Ontario Reformatory, Brampton.

Bakery: - More than 312,000 loaves of bread are produced for institutions at Guelph, Brampton, Galt and Burtch.

Construction Projects: - In the past year, projects such as the new gymnasium building, an additional cell block and a new tuberculosis hospital building provide employment for a number of inmates.

The amount of work varies and is heaviest in the summer.

Despite the extent and variety of the industries listed above, it would appear that less than 400 of the 834 inmates are regularly engaged in productive operations.

In assigning inmates to work, however, there might be better segregation and a more careful scrutiny of the productive tasks to see that while an inmate helps to earn his keep, he also learns something which will prove useful to him in seeking an "outside" trade later on.

While Guelph is credited with the highest per-inmate costs in the system, this is not actually the case. Productive credits of the institution reduce this per inmate cost from the indicated \$3,100 annually to a figure only 33 percent. of this amount.

(d) Ontario Reformatory, Mimico

The present costs of running the Mimico institution is some \$640,000 annually. Set against this are revenues of \$201,000 industrial and \$48,000 from the farm properties.

The Committee considers the brick industry at Mimico one of the most valuable assets the Department has. It should, however, be utilized to better

advantage with production stepped up to capacity immediately. When the clay deposits are exhausted -- probably not for another 25 to 40 years -- then the property should be sold and the institution replaced further away from such heavily populated areas.

Annual output of the brick and tile industry at Mimico is about 2,200,000 pieces. This production is used entirely by the Department of Public Works.

A small slipper plant produces about 3,000 pairs of inmates' slippers annually.

While the farm industry is creditable, the property in excess of what is required for the brick industry and the institutional building and grounds proper should be sold. More detailed consideration has been accorded this subject in Chapter III.

(e) Andrew Mercer Reformatory, Toronto

The women's reformatory is second only to Guelph in proportionate amount of goods produced. The total value of production last year was \$202,000, offsetting about 48 percent. of the costs of running the institution. The Committee commends this example of the industry of the inmates but has made note in Chapter III that the institution should be re-established in a location much further away from a densely-populated area. The new institution should

be similarly equipped for industry, preferably on an even greater scale than is possible in the present limited quarters.

The clothing factory produced during 1952-53, some 165,150 items such as kimonas, women's under-clothing, bedding, towels, and quilts, for use in various types of Provincial institutions.

The Laundry processed 226,439 items for the Mercer Reformatory itself and another 388,316 pieces for the training schools and other institutions.

(f) Rideau Industrial Farm, Burritt's Rapids

Production here last year was only \$10,000 in industrial goods and \$19,000 in farm goods, in contrast with total operating costs of nearly \$200,000. Much prison labour could and should be used on reforestation projects in this area and current idleness thereby would be greatly reduced. Further farm land should be acquired for productive purposes and some form of industry should be established.

The tailor shop employs only 25 of the 140 inmates. Last year, it produced some 18,412 items of men's clothing, bedding, and night clothes for the institution and Ontario hospitals.

The program of clearing bush and reforestating should be accelerated.

(g) Industrial Farm, Monteith

There is no organized industrial activity whatever at this institution. Present farming operations return some \$18,700 as against total costs of \$266,000.

There should be immediate initiation of a small industries program and the lumbering operations should be greatly extended and placed on a more realistic and productive basis. Inmae labour at the Monteith farm should be employed on local reforestation projects. Generally, the recommendations made above with respect to forestry at Burwash should apply with equal validity at Monteith.

(h) Ontario Training School for Boys,
Bowmanville

There is no organized industrial production at this school except for summer farming, which returns about \$23,000 annually to the Province. Total costs of operating the institution is \$326,000 annually.

Much of the boys' time is taken up by academic studies and hobbycrafts. The Committee has no wish to have any lessening of these activities, but care should be taken that none of the boys have too much spare time on their hands.

(1) Ontario Training School for Girls,
Galt

The Committee was not made aware of any organized productive enterprises at Galt and strongly recommends that such be established at once. While the rule that inmates should produce as much as possible to offset the costs of their incarceration applies mainly to adult institutions, a sensible amount of production in keeping with the aims of the general program should be undertaken at juvenile institutions whenever possible.

For the last fiscal year, clothing for this institution alone cost the Province \$27,000, an average of \$205.82 per inmate -- and that at wholesale prices. In some of the other schools such as the Home of the Good Shepherd, Toronto, and the St. Mary's, Downsview, the girls are required to make much of their own clothing. Galt girls are provided with a \$4.00 bathing suit. Other girls make their own and quite apart from the economic savings, the girls thereby learn something of value in practical skills.

Even the institutional laundry at Galt is sent out. Certainly here is one way in which the girls could simultaneously learn a skill and effect a saving. Tailoring and dressmaking shops also should be set up. Departmental records show the cost of operating Galt at \$253,000 for one year. Credited to

the school's account by way of production, according to Departmental figures, is a total of \$22.14.

Farming Operations

(a) General

Farming operations comprise a considerable portion of those activities that combine production with useful occupation of inmates. Their value is considerable from the financial aspects alone. When the finances are taken in conjunction with the other values accruing -- healthful exercise for all inmates, training for the young offenders particularly, and teaching the honesty of labour -- then it is obvious that the farming operations are well-nigh indispensable to the operation of our institutions.

There are seven major farms: Guelph, Burwash, Mimico, Burtch, Rideau, Monteith and Bowmanville. They are located in parts of the province where soils, temperature, precipitation and natural growth vary widely. They are, for residents of the areas, the most obvious showpiece of the Provincial Government. Unfortunately, they are far from the model farms they should be, possibly because of soils or insufficient liaison between the Departments of Reform Institutions and Agriculture.

Each reformatory or industrial farm could

and should be a model farm. Each could be used as an experimental station. Each could contribute in some way to the basic improvement of farming methods in the district in which it is located. All this would profit both the Department of Reform Institutions and the inmates themselves.

Figures given by the Farms Administrator indicate the value of one year's production at Departmental prices was \$294,053.99. This same production would be worth an estimated \$391,804.60 if bought or sold in the open market --- a difference of some \$97,740.61. More detailed figures on industrial and farm production are set out in Appendix D. Reference has already been made in this Report to the need of more accurate valuation and accounting of all production within the Departmental system.

Farm products should be sold at market prices, whether they are sold to other Provincial Departments or not. In no other way, can it be ascertained whether the farms are on a sound financial basis.

(b) Soils

The farms at some of the institutions do not appear to be adaptable for good productive agriculture. They should be surveyed, as recommended in Chapter III, with the end in view of acquiring more

land in the immediate vicinity if desirable.

In the future, when building institutions of a reformatory or industrial farm type, greater care should be exercised to make sure that not only is sufficient farm land obtained, but that it is of a quality which will allow for the efficient production of farm products.

(c) Farm Administration

The Farms Administrator is based at Guelph and is in general control of farm operations as described in Chapter II(B).

The chain of command should be clearly and definitely established in relation to the Farms Administrator, the Farm Supervisors and the institutional Superintendents. The Farms Administrator's duties should be clearly defined.

In-service training of guards should be provided to ensure that guards in charge of inmate labour on farm operations have sufficient working knowledge to direct competently, the operations of the inmate labour.

The co-operation of the agricultural colleges should be sought or intensified with liaison through the Farms Administrator. An institution should be equipped to manufacture drain tile wherever suitable

clay or shale is found. The tile would be supplied to such institutional farms as require same for drainage purposes so that greater crop production would result.

Pig raising at Burwash is not in accordance with recognized modern methods. A modern piggery should be established at a central point. It would employ the most up-to-date methods available, and its pigs transferred to other industrial farms for growing in weight and final disposition. Such a piggery could serve as a proving ground for improving the quality of hogs generally. It would also afford valuable information to the Department of Agriculture and the public generally.

(d) Dairying

As with most other farming operations, dairying generally was found to be carried out in a fairly efficient manner.

But the Committee does not approve of the practice whereby institutions sell whole milk to local dairies who then pasteurize the milk, and resell it to the institutions at their own price. The institutions should pasteurize all their own milk, thus effecting a financial saving and also providing more employment for inmates.

Recommendations

On the basis of the findings outlined above, the Committee recommends:

1. That an immediate survey be made to determine the best means of expanding and extending productive operations in all custodial institutions.
2. That the findings of the survey be taken into account in setting up sufficient productive operations in custodial institutions to provide employment for all able-bodied inmates as soon as possible.
3. That the first step toward a greater amount and variety of industrial and farm operations be taken immediately by carrying out the specific suggestions contained in this Report in regard to such operations at the various institutions.

7. SPIRITUAL GUIDANCE

Spiritual therapy is one of the most essential factors in the treatment, care and general rehabilitation of offenders. Religion, touching as it does the deepest springs of human conduct, can impart even to the weakest the highest of ideals and the sternest of disciplines. Spiritual guidance in all its phases must be awarded prime consideration in the reform of any individual.

Most important of all to an individual is what he thinks, for his thoughts determine to a very large degree every single conscious action he takes. When those thoughts turn on life, and in doing so become unbalanced, warped and lacking in breadth, they reach a critical point, the surpassing of which generally means another crime against the community and another offender against the law.

Imparting spiritual values and attitudes is a most delicate task. It requires, for the inmate, not merely formal religious services, but personal counselling to a finely-developed degree. Important as are the holding of formal services, they are of little avail in accomplishing any measure of reformation if unaccompanied by sympathetic, firm and understanding personal guidance.

Nothing can take the place of personal work among reformable inmates. A painstaking and intelligent approach is required with a wholehearted devotion to the problem at hand. The ministrations of a well-intentioned but ill-fitted person in this work are worse than useless. Inevitably, they tend rather to turn the inmate against the guidance, strength and comfort available and to reject all such future attempts to impart them to him.

Spiritual guidance in prisons is not a task which local parish ministers or priests should be asked to do. It reflects much credit on those serving as part-time chaplains for institutions that they have devoted so much of their time and effort to the work. Taking many valuable hours away from their own charges, they have regularly and faithfully visited institutions, Sunday after Sunday, year after year. They have provided inmates with regular contact with that formal part of religion that can be of so very much benefit. But few have been able to make more than the occasional week-day visit when a spare moment presented itself.

Part-time chaplains should not be asked to do more. Their special training has been for the community. In all fairness they should not be asked

to assume such a heavy burden.

Other countries have recognized the need, particularly the United Kingdom and some states of the United States of America. In these jurisdictions full-time chaplains are considered as essential to the institutions as the turnkeys. And so it should be here. Ontario, unfortunately, has no full-time chaplains at present. It is commendable that the Department now is training a promising member of the clergy with the intention that he will spearhead the establishment of a full-time chaplaincy service for our institutions. This step is long overdue.

The chaplain must be specially trained, for his is a highly specialized field.

The chaplain must reflect certain factors in life: truth, love, honest, industry, forgiveness. These virtues, once instilled in the mind of the inmate, give great promise of reformation.

The institution usually is interested chiefly in the custody of the prisoner and the protection of society. The chaplain must be the principal agent of the spiritual therapy that is of tremendous importance in any reformation. Religion is even a more fundamental element in life than mental discipline, and only a trained chaplain can properly instill this element in the offender.

Only qualified and trained chaplains should be appointed but these should be found and nominated by the churches through the Canadian Council of Churches and by the head of the Roman Catholic Church. In the Council of Churches is the machinery for agreement to overcome denominational jealousies and to provide for even distribution among the denominations.

The Council, too, has the national field from which to draw the best men of the Protestant faiths. Local selection would not always be the best.

The pay should be adequate. If inadequate pay is offered, men who are not sufficiently qualified will be appointed and become square pegs in round holes. This is no place for the old and infirm, but for strong, alert, conscientious young men.

One of the most common characteristics of many offenders is that they are at war with society, physically when at liberty, and mentally while incarcerated. While to these the jail or reformatory represents the victory of society over them, they regard this as but a passing thing. They look forward to the time when once again they will be free to renew the battle that rages in their minds.

Substance is given this in cold statistics. Some 65 percent. of all those in reformatories and

industrial farms have been convicted at least three times, and often 10, 20 or more times. Obviously their minds are so warped there is little physically that can be done for them. Many of the crimes they commit are planned, and many of their criminal associations formed while they are in custody.

Most of this can be alleviated through proper understanding of the motives, thoughts and spiritual vacuums motivating such offenders. But only a well-trained professional chaplain with a proper understanding of all the difficulties involved can attempt to do a really satisfactory job.

In England and in the United States of America, the chaplain is always on the panel that decides on the segregation, on the quality and length of sentence, and even on advising the court by way of pre-sentence reporting. Frequently the chaplain can learn the family life and background of a prisoner better than anyone else. He can keep in touch with a man's family and bolster morale considerably.

And despite apparent callousness, most prisoners appreciate religious services, which only a qualified chaplain can render.

In the English institutions, the chaplain is regarded as indispensable. So it should be here.

The focal point of the chaplain's work is the chapel. But, except for Burwash, there are no chapels in any of our institutions. As a result, religious services are held in Assembly Halls, which were built for entertainment, not places of worship.

In the chapel, religion and faith are preached, taught and if at all, caught. Here the seed is sown and some takes root even in the hardest ground.

In the chapel, a man's thoughts may be transferred from himself to something greater and such transference often provides a challenge to the thinking and subsequently to the action of the individual.

Therapy can be started by or through some thought, some word, or some impression derived from a talk, a hymn or a prayer.

Thus the chapel should be a chapel, not only in name but in fact, a place set apart and properly furnished and dedicated for worship of God and meditation. Once physically established, the chapel can be brought into the full vitality of a vigorous spiritual life by a man of God, who fully appreciates the demands of his calling.

Every prisoner has in him a potential of something better, something finer. His chaplain seeks

always to build that potential into reality.

"You thought he needed the prison,
but what he really needed was purity.
You thought his defects were physical,
but they were spiritual.
You thought there was need for training,
but it was transformation.
You thought he lacked comfort,
but it was character."

There can be no full and lasting rehabilitation without religion. The sooner we realize it, the better for all.

Recommendation

On the basis of the findings outlined above, the Committee recommends:

That greater emphasis be placed on spiritual guidance in custodial institutions, and that, to this end, a full-time chaplaincy service be established as soon as possible.

8. MEDICAL CARE

Inmates in Ontario's custodial institutions are generally wellcared for medically. No obvious sufferers go untreated. In the larger reformatories and industrial farms this examination is usually thorough. In the smaller of these institutions and in jails, however, it has not always been as satisfactory as it should be, largely because doctors there are on a part-time basis. It has been recommended in Chapter II (B) that doctors be employed full-time wherever possible.

Medical examinations at the least evidence of illness or accident should be given immediately after arrest, even if the smaller lock-ups have to engage the services of doctors on a part-time basis. The Committee has learned of cases where persons arrested and charged with drunkenness have been suffering from epileptic fits, heart conditions, insulin reactions or other serious physical organic defects in no way relating to intoxication. It is most important that the present practice of leaving such persons until the next day for medical examination be corrected at once. Such situations should be detected as soon as possible, preferably by the arresting officer or by

jail or lock-up officials and the local doctor called in to examine the newly-arrested cases herein referred to.

There is a practice all too common in the jails and some other institutions of housing persons alleged to be mentally ill, if even for a short period. While such persons may not be certifiable, many at least are not the possessors of a normal mentality. Jails are not the proper place for housing the mentally ill or the suspected mentally ill. This matter is examined fully in Chapter V.

The custom of having a portion of a custodial institution set aside for an infirmary is well established. Supervision of such accommodation is fair and the facilities adequate to the need, ample provision being made for the use of a nearby general hospital.

No gross defects were found in medical or dental care, nor in the utilization of proper procedures as to sanitation and dietetics. Some may find fault with a certain monotony or repetition in the diet. But a person in custody should not expect better food than would be obtained by the average law-abiding citizen.

In some county and city jails the sanitary facilities are antiquated. Where night pails are used, sterilizers should be installed and ventilation improved.

Diet is satisfactory in spite of the fact that a trained guard-cook is not always available. The medical records examined usually reflected an active interest in the problems at hand. Appointments of jail doctors are made by County Councils.

Smaller institutions, such as Rideau, Monteith and others, are of such a size as to not warrant a full-time medical officer. Under such circumstances, a physician from a neighbouring centre is retained, visiting the institution at least once a week, and is on call when any unusual condition arises.

Generally the keeping of medical records at such smaller institutions is satisfactory and members of the staffs should be commended on their display of sound judgment and good work.

On the whole, there was no evidence whatever that anyone has suffered from lack of medical attention.

Larger institutions have a sufficiently large population to justify a more elaborate medical staff even up to full-time for more than one physician, psychiatrist and psychologist. Here again the records are, in the main, in an acceptable state and showed evidence of the acceptance of responsibility. It is in the larger institutions that a greater degree of team work might be expected than is practical in small

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the business to have a clear and concise record of all income and expenses. This will allow the business to track its financial performance over time and identify areas for improvement. The second part of the paper discusses the importance of maintaining accurate records of all assets and liabilities. This will allow the business to track its net worth over time and identify areas for improvement. The third part of the paper discusses the importance of maintaining accurate records of all debts and obligations. This will allow the business to track its financial obligations over time and identify areas for improvement. The fourth part of the paper discusses the importance of maintaining accurate records of all taxes and other legal obligations. This will allow the business to track its financial obligations over time and identify areas for improvement. The fifth part of the paper discusses the importance of maintaining accurate records of all other financial information. This will allow the business to track its financial performance over time and identify areas for improvement.

establishments. There was an impression, however, that co-operation is not always of the highest order. Here is an opportunity for an intensification of the conference idea of working on the problems at hand. The population exists, and in some cases, the medical staff numerically is adequate, but the Committee is convinced the Department should make more use of the staff conference method.

The food in custodial institutions was found to be adequate as to quantity and quality. The sanitary practice was all that could be expected.

The disparities in medical costs shown by individual institutional reports would suggest inmates of some institutions get much better care than do others. However such did not appear to be the case. The Committee observed that nearly all inmates in all major institutions were adequately cared for, regardless of the medical costs. Consequently some examination of these costs by the Department would be in order.

The principle of a visiting psychiatrist and psychologist at the smaller industrial farms is well established.

In summary: In the large institutions there should be an intensification of the conference method of assessing cases. Increased authority would be

justified for such a panel. The importance that the Department obtain a well trained, well adapted medical staff composed of practitioners who intend to make a life's work of institutional duties, should be stressed and restressed, until brought into effect at every major institution. (It has been recommended in Chapter II (B) that full-time practitioners be hired whenever possible.)

Recommendations

On the basis of the findings outlined above, the Committee recommends:

1. That medical examinations be given immediately after arrest to all persons who exhibit the slightest evidence of illness or injury.
2. That the conference method of assessing cases be used more widely in the large institutions.

9. EDUCATION

General

In the general sense, the education of the inmate is the most important phase of his reformation. In some respects it is a broadening education: he is enabled through wider knowledge to understand better the society in which he must live. It is because he has not adjusted to this society properly in the first place that he has evolved personality difficulties with which he has been unable to cope and which have been a factor in his anti-social actions.

In another respect it must be a re-education: he is "untaught" or has warped, incorrect or distorted concepts that he acquired earlier. His attitude toward society generally must be changed and a new understanding developed.

It must be a new education: he must learn usually for the first time, that society has not turned against him. If he is to reform he must discover or rediscover those spiritual values that are a necessary completion to every life.

The educative process begins with entry into the institution, the first association with fellow inmates, and the first association with the professional personnel who represent the new type of society that hopes to win him back.

The specific education program can be divided into five classifications: academic training,

vocational training, hobbies, libraries and recreation. Such a five-part program, carried out with discretion, can be of great benefit to inmate morale, thereby easing custodial problems, as well as providing the diversion, peace of mind and social sense that can aid the reformatory process. Properly conducted in a carefully-planned program, it can enable the prisoner to learn the fundamentals of citizenship and a consideration of the rights of others.

Academic Education

(i) Training Schools

Academic training is carried out at the Ontario Training Schools at Bowmanville, Cobourg, Guelph, Galt and the Mercer Reformatory, St. Mary's (Downsview), St. Joseph's (Alfred), and St. John's (Scarboro). Most of these Training Schools have regular academic curriculae up to Grade IX. Anyone progressing further than Grade IX, is given training in outside schools.

Academic training received in these Training Schools is given full credit by the Department of Education. A semi-commercial course is provided in the institutions for girls. Some typing is given, but no shorthand.

At the Roman Catholic Training Schools, a separate school curriculum is followed up to and including Grade IX. Older pupils get some high school

training on the outside.

There are some facilities for teaching the mentally deficient, particularly the younger boys and girls. The older sub-normals take trade training in the kitchens, the shoe repair shops, the laundry, the tailor shop, and on the farm.

Generally speaking, the academic education in our Training Schools would seem to be adequate. However, commercial training for girls should be extended. At present they are taught a little typing, and some bookkeeping but little else except for the few at the Andrew Mercer Reformatory, who are given secretarial training and courses in art, domestic science and hair dressing.

(ii) Reformatories and Industrial Farms.

Academic education for illiterate inmates does a great deal to raise the level of literacy in the province. It should be encouraged and continued.

At Guelph Reformatory, one teacher takes day classes for illiterates, three and one-half days per week, for Grades I to III.

At Burwash, there are also classes for illiterates each half-day.

All others who wish to take schooling at these two institutions attend academic classes for Grades IV to X at night school, on a voluntary basis. Some 68 at Guelph were taking advantage of that

training as well as a considerable number at Burwash.

At Brampton, a specialized institution with specially-selected personnel and select inmate population, there is an excellent academic school extending up to and including Grade XII. Inmates spend one half-day of each work day in the academic school and the other half-day in their vocational training.

No one is excused from academic school unless he has reached at least Grade X, and the instructor and superintendent deem it advisable for him to put more emphasis on trade training in the vocational school.

There is no academic training at all in the Industrial Farms at Rideau, Burtch, Monteith and the Reformatory at Mimico. However, very little could be accomplished by way of academic training at these institutions, because of the type of inmates being incarcerated there, mostly older men who are recidivists.

(iii) Illiterates:

Illiterates are a group deserving of special consideration. Wherever they are incarcerated it is essential that they receive instruction, and means to this end should be provided at all institutions. In this connection, thought might be given in initial classification to segregating illiterates into a few institutions in order that specialized teaching could more readily be made available.

Quite apart from the importance of eliminating illiteracy in the general population, it should be

noted that illiteracy is potentially a contributing factor toward some crimes. If a person can neither read nor write, he is far more apt to resort to force in order to attain his ends. Utilization of his leisure time, without the ability to do any reading or writing, poses a problem that sometimes results in criminal acts.

(iv) Evaluation:

There are two schools of thought on academic training. At reformatories, one school of thought feels there should be full-time academic training throughout the day for all those properly motivated.

The other school of thought thinks that anyone who wishes to further himself academically, should do so on his own time at night. The Committee endorses the latter view, for there is no reason why those sentenced to custody should enjoy the privilege of day-time education that cannot be enjoyed by most adults in free society.

Vocational Training

(i) Training Schools

Bowmanville has a machine shop, a sheet metal shop, wood working shop, shoe repair shop, laundry and horticultural unit, all taught by qualified trade instructors. Although most of the training is not counted toward a regular apprenticeship, the courses

generally appear to be good for boys aged 14 to 16.

At Cobourg, vocational training is restricted to manual training and wood working.

At Galt, the girls receive vocational training in home economics, hairdressing, and some crafts.

(ii) Reformatories:

Brampton is equipped with excellent vocational training shops and has well-qualified vocational trade instructors. There is a good vocational program in such trades as construction, machine shop, motor mechanics, welding, painting, radio, sheet metal, wood working and cooking. On release the youths who have taken trade training instructions are given a letter from the Superintendent and the trade instructor showing the time spent in training, which is accepted by the Department of Labour and serves as a credit on apprenticeship training. Organized labour has displayed good co-operation in this regard.

At the Ontario Reformatory, Guelph, there is a similar trade training program with qualified trade instructors teaching such trades as bricklaying, carpentry and cabinet making, motor mechanics, plumbing, sheet metal work, machine shop, upholstery, interior decorating, and cooking.

The only other trade training which is carried on is at Burwash--a sheet metal and machine shop, with only one day instructor.

At the Mercer, training is given in beauty courses, needle crafts, general domestic science and household economics.

Hobbies

One of the greatest difficulties confronting young people today is inability to organize and properly utilize leisure hours. This has been a factor in the delinquency of a great many juveniles and also a great many adults.

To combat the leisure-time problem, one of the most effective programs is one that adds good hobbies to the individual's interests. It is not valid to suppose that inmates should only be taught that which will enable them to earn a better living after discharge. Also important is that which teaches the inmate to live better, and it is in this category that hobbies should be considered.

Some institutions, such as Guelph Reformatory, have excellent programs in this respect. Others have few or no hobby projects. Essentials could easily be provided in all institutions without too much expense or effort, and a good program established.

The female population in our institutions and jails could very well spend more of their leisure time on needle work, weaving and leathercraft.

Libraries

Libraries in the majority of the institutions

the Committee visited are inadequate and unsatisfactory, although a few were good.

Libraries in the reformatories and jails are definitely a part of the educational program and should be a part of the rehabilitation process. A good library, properly established and housed, can do much to improve the education of the inmates and provide a release from emotional strain, besides being of help in occupying idle hours and leisure time.

Many libraries require a drastic weeding out of old damaged and useless books. All institutions should evolve a definite and practical system for providing good books, keeping them according to index, and making them available to inmates.

In the selection, emphasis should be placed upon books which will transfer the interest of the inmates from a sensationalist track to a better grade of book. Subversive literature and that depicting sex and crime should be considered as contraband.

The libraries should have a variety of books which would meet the needs of the whole prison population, from those with a limited education to those possessing a higher education. There should be something for every intelligence level.

One half of each library should be composed of fiction, with the remaining half covering the fields of history, travel, biography, science, trades, useful arts, reference books (to supplement the academic training classes), encyclopaedias, atlases, and a suitable range of selected magazines.

The institutions should not have to depend entirely upon the discards from local libraries in order to build up their own libraries. An annual appropriation should be made of an amount which would keep the library up to a satisfactory standard.

A selected inmate could act as librarian to carry on the routine operation of the library under supervision of custodial officers.

Recreational Education

(i) General

Recreation in our institutions is increasingly being regarded as a constructive and necessary part of the rehabilitation and treatment of inmates, provided, of course, that it is not carried to extremes. A good recreational program can be beneficial both physically and mentally, giving inmates satisfaction for emotional needs and enabling them to bear tension and frustration without "blowing up". It provides an outlet for their energies that perhaps would otherwise find expression in bitterness, dissatisfaction, trouble-making and a lowering of morale. An absence of an effective recreational program can seriously affect the discipline and efficiency of an institution as well as morale.

(ii) Training

A physical education and recreational training course for guards should be held from time to time when the need for more instructors arises in the institutions.

The recreational programs carried out in the

various institutions usually include gymnastics, indoor games, and the usual outside games which vary according to the seasons.

Each institution has a Sports Day each summer and track and field events form a entire day's program. Most institutions form all-star teams in softball, basketball and hockey, and outside teams are allowed to visit the institution to compete.

Among the effects of these sports is training of inmates in attitudes of fair play, co-operation and good sportsmanship. They are a valuable, although minor, aid in improvement of inmates' personalities generally. However they must be handled carefully to ensure that no special privileges accrue from sports, and that the recreation program is not over-stressed. The inmates are in a custodial institution for offending against the law, and the program should not be so pleasant that they would be allowed to forget this fact.

(iii) Films and Concerts

Reformatories and Industrial Farms have 16 mm projectors by which movie s are shown the inmates weekly. Educational and vocational films are also shown as a form of visual education.

The instructors in some of the Institutions organize talented inmates and train them in stage productions.

The Ontario Reformatory at Guelph has an instructor in music who instructs in band and orchestral instruments.

The Ontario Reformatory, Brampton has a music instructor, who teaches vocal music.

The Andrew Mercer Reformatory for Women has a music instructor who teaches choral singing.

These activities, if carried out to a limited extent, are commendable to a degree in that they may give expression of inmates' yearnings toward what are sometimes termed "the finer things of life".

(iv) Gradual Improvement

There is room for improvement in recreational facilities at Mimico Reformatory and Rideau, Monteith and Burtch Industrial Farms. Such improvements should be carried out slowly, constantly bearing in mind the punitive aspect as well as the reformatory aspect of custodial institutions.

Recommendations

On the basis of the findings outlined above, the Committee recommends:

1. That commercial training be extended in the Ontario Training School for Girls.
2. That general educational efforts be extended where necessary, keeping in mind both the reformatory program and the punitive aspect of detention, by establishment of adequate library facilities in all custodial institutions, and maintaining of instruction, hobbies and recreation at a consistent level.

10. DISCIPLINE

Maintenance of good discipline is obviously necessary to the efficient operation of every custodial institution. If proper discipline cannot be maintained, reformative programs have little chance of being effective, security is endangered and custodial problems generally become excessively trying.

Discipline usually is the first thing taught all inmates, and properly so. In addition to the practical considerations of institutional operation, it must be remembered that the inmate has broken the rules of society. Not until he can be brought within some administrative framework, and hence within some form of discipline, can there be hope of his reclamation.

Another important requirement is that of maintaining a high standard of discipline and respect among the employees. They represent society to the inmate population and they must at all times set an example consistent with reformative aims.

Proper Nature.

The best disciplinary code is one that promotes order and smooth running of the institution with the least possible friction arising therefrom. Discipline should be firm and unvacillating, but always humane. When punishment must be administered it must be done without malice, revenge or other personal feeling on the part of the officers.

The Department of Reform Institutions

evidently has tried to embody these principles in the codes of discipline in Ontario's custodial institutions. Discipline generally is good. No punishment or deprivation of privileges can be imposed on any inmate without the authority of the Superintendent or acting supervisor. Every complaint regarding either an employee or an inmate must be in writing.

The Committee found absolutely no evidence of brutality or deliberate unfairness.

Mild punishment takes the form of loss of normal privileges, such as books from the library and smoking. For more serious offences a prisoner may lose a portion or all of such good conduct remission of sentence as he may have earned. A difficult prisoner again may be confined to his cell and, in addition, put on reduced rations. The minimum diet is five ounces of bread and all the drinking water desired, such rations to be imposed for no longer than three consecutive days.

For severe breaches of discipline, solitary confinement can be ordered.

The committee was surprised to learn that another allowable punishment is imposition of both handcuffs and leg-irons. Where irons are ordered, present regulations call for one visit every hour to the cell by either an officer or guard with the Medical Officer making at least a daily visit. Such irons must be removed one hour at meal times and during specified sleeping times. The use of irons in this age would be completely without justification. An inmate's person should

no more be shackled than he should be shackled to a wall after the style of ancient dungeon practices. There have been no indications that this form of punishment has been used at all in recent years, but the possibility of its being used should be removed from the regulations.

Corporal Punishment.

Inmates may not be punished by the lash. This may be imposed only by order of the sentencing court. The only punitive weapon permitted in our institutions is a leather strap. The reasons for this distinction accorded the lash are puzzling. Having examined both, the Committee is convinced that the strap is a much more formidable instrument than the lash presently in use.

The strap can only be inflicted on an inmate after he has been carefully examined by a doctor and certified physically and mentally able to endure the punishment. The strap may be ordered, after a hearing, for any prisoner who assaults an officer or assaults another prisoner; who attempts to escape, riot or incite riots; who refuses to work after warnings; who is repeatedly insolent to officers; who destroys property deliberately, or attempts to commit certain crimes of a perverted nature.

Corporal punishment is a valuable deterrent.

Knowledge of the inmates that the superintendent no longer had the power to order it without approval from Head Office undoubtedly was a major contributing factor to the riot at Guelph Reformatory in 1952. This

situation was corrected soon after the riot when the power to order corporal punishment was restored to superintendents.

The committee is satisfied that the use of corporal punishment in custodial institutions is justifiable and necessary as long as it is used rarely and with discretion. Superintendents have demonstrated that they do not abuse their power to have this form of punishment inflicted. They have, in fact, refrained from ordering it for some cases for which it unquestionably would have been deserved.

The following figures show that corporal punishment has been inflicted sparingly in Ontario institutions. Over the past five years it has been used on an annual average of about one of every 225 inmates.

Number of cases of Corporal
Punishment during fiscal years
ending March 31-1949-1950-1951-1952-
1953.

1948-1949

Total number of prisoners in custody
during year 43,348

Number of prisoners sentenced by 26
Courts to corporal punishment

Number of prisoners received
corporal punishment for infraction of
discipline - Jails - 24

Refs.& Ind. Farms -235 259
(.6% of number
in custody)

Includes sit down strikes at Guelph-distrubance at
Burwash - and sit down strike and distrubance at Mercer.

1949-1950

Total number of prisoners in custody
during year... 48,139

Number of prisoners sentenced by
courts to corporal punishment 45

Number of prisoners received corporal
punishment for infractions of discipline -
Jails - 69

Refs.& Ind.Farms -177 246
(.5% of
number in
custody)

1950-1951

Total number of prisoners in custody
during year..... 51,517

Number of prisoners sentenced by
courts to corporal punishment .. 27

Number of prisoners received corporal
punishment for infractions of discipline -
Jails - 35

Refs.& Ind.Farms 165 200
(.4% of number
in custody)

1951-1952.

Total number of prisoners in custody
during year..... 50,622

Number of prisoners sentenced by
courts to corporal punishment..... 25

Number of prisoners who received corporal
punishment for infractions of discipline -
Jails - 17

Refs.& Ind.Farms -88 105
(.2% of number
in custody).

1952-1953

Total number of prisoners in custody
during year 51,080

Number of prisoners sentenced by courts
to corporal punishment 27

Number of prisoners who received corporal
punishment for infractions of discipline -
Jails - 25.

Refs.& Ind.Farms -225 250 (.5%
of number
in custody)

Includes disturbance at-Guelph, July 1952.

Recommendations.

On the basis of the findings outlined above, the Committee recommends:

1. That existing policies and practices in regard to discipline and punishment be continued.
2. That provision for use of leg irons be removed from the regulations.

11. SECURITY

Ontario's reformatories and industrial farms are open institutions, without the walls and other provisions that make for high security. Consequently, the security enforced by the Department of Reform Institutions are of particular importance.

The Department of Reform Institutions has managed to maintain a commendable degree of security. Escapes are surprisingly rare in view of the openness of the institutions. The Committee is convinced that the security policies and practices of the Department are generally adequate.

Contraband

There are widespread rumors of extensive trafficking of contraband such as narcotics and liquor in Ontario institutions. After thorough investigation, the Committee concludes that such rumors are usually exaggerated. Some trafficking does go on but it does not appear to be extensive. The Department's policy in this regard is strict and guards found guilty of trafficking are dealt with quickly and sternly, with good deterrent effect. As long as guard turnover is high, it is inevitable that there will be incidents of trafficking, despite restrictive efforts by the Department.

There is one obvious and elementary precaution the Department fails to take, however. In some of the institutions, such as the Industrial Farm at Burtch, there is no gate in the driveway and no fence around the grounds. It would be simple for anyone from outside the institution to drive or walk in the grounds and deposit contraband in a place pre-arranged with an inmate, and for the inmate to pick it up the following day in the course of his regular routine. The Department should establish more rigid control over entry and egress at its institutions by means of night patrols or any other measures necessary for effectiveness.

Guelph Riot, 1952

The last serious disturbance which has taken place in an Ontario institution was at the Ontario Reformatory, Guelph, in July of 1952. The Committee conducted interviews at Guelph for several days and enquired particularly into the circumstances of the riot. From the evidence of both officials and inmates, it must be concluded that there was no single overriding cause.

The main immediate cause appears to have been the knowledge of the inmates that the Superintendent no longer had the power to order corporal punishment. By a directive from Head Office, the superintendents

of all institutions had been deprived of this power early in 1952. When they thought corporal punishment should be inflicted, they had to get the approval of Head Office before ordering that it be carried out. (This directive was rescinded shortly after the Guelph Riot so that superintendents again have full power to decide when this form of punishment should be given). The inmates, through the "grape-vine" that passes on to them such a fantastic variety of knowledge, learned the contents of the directive and their fear of punishment was reduced. As a result, there was a general slackening in their respect for discipline.

A new Superintendent had been appointed early in 1952. Between the time his appointment was made and the time he arrived to take over his duties, a man was promoted to a senior rank without prior consultation with the new superintendent. This man was disliked by some of the other custodial officers so intensely that the friction affected staff morale. (The officer since has resigned). The Committee is not prepared to judge flatly whether the officer merited dislike or not, but the fact is clear that his presence caused dissention. The lowering of morale in which this dissention apparently was a major factor, was something the inmates quickly sensed and

which apparently was indicated overtly on occasion. This added to the inmates' disrespect for discipline.

Another contributing factor, in the opinion of those interviewed by the Committee, was the inmates' knowledge that there had been a series of riots in United States' institutions. According to penologists, a riot in one institution -- and especially a series of riots -- tends to incite riots in other institutions. The knowledge that inmates elsewhere have rebelled against authority sows in their minds the seed of a disturbance in their own institution.

Of the other causes, none stands out as major. There were no exceptional defects in food, day-to-day dealings with inmates, or any of the other things that are routine grounds for occasional complaint in any institution.

Inexperienced staff due to the high turnover of guards was another factor. This is a factor that is present in most of Ontario's custodial institutions and will continue to be present until the conditions of guards' employment are improved.

Improvements that would specifically guard against repetition of such a riot have been made elsewhere in this Report, particularly to the effect that the superintendents' power to inflict corporal punishment

should be retained, that the conditions of guards' employment should be improved and that senior changes in personnel in an institution should not be made without prior consultation with the superintendent or the person whose appointment as superintendent is shortly to take effect.

Recommendations

Many of the recommendations in this Report have a bearing on security and detailed listing is not needed here. On the basis of the findings outlined above, the Committee additionally recommends:

That the Department of Reform Institutions establish more rigid control over entry and egress at its institutions by means of night patrols or any other measures necessary for effectiveness.

12. FEMALE OFFENDERS

General.

The work of caring for adult female offenders in this province devolves largely upon the Andrew Mercer Reformatory, Toronto, and its very capable superintendent. Only one female is committed either to jail or a provincial institution for every 20 males. Of the total incarcerated in the Mercer, more than half are married.

The Province is fortunate in that, despite the inadequacy of facilities and many obvious deficiencies of the system generally, female offenders receive institutional treatment of a reasonably acceptable standard. Many recommendations and comments have been made throughout this Report for the general improvement of the system of custody and reformation of all inmates. For convenience these have, in the main, been couched in terms referring to males, but they are intended to apply with equal validity to female offenders as well.

Custody.

Within the city, county and district jails, accommodation is generally provided in a separate wing for females. The contrary was found to be the case in only one such institution, which is described in the Jail section (Chapter IV). Some crowding of female quarters, and in some cases insufficiency of sanitary and exercise facilities, were noted.

Recommendations have been made elsewhere for the general improvement of jails, which would improve accommodation for females as well as men. For both sexes, in all custodial institutions, segregation should be carried out with greater refinement. This is most essential from the standpoint of safeguarding first offenders from falling into recidivism.

Also important is the absolute segregation of all female sex offenders, and such drug addicts as may be found.

A Reception Centre has been recommended in Chapter VI. Establishment of this centre will spearhead more effective reformatory programs for offenders of both sexes.

Special Services

The Committee commends the high degree to which industrial production and the teaching of industrial skills has been developed by the staff of the Mercer Reformatory. Such development gives good aid in the work of reformation and rehabilitation and contributes in no slight degree toward the cost of housing female offenders. It is hoped that, when the Andrew Mercer Reformatory has been re-established elsewhere in a new building, as is recommended in Chapter III, employment of similar techniques of industry and training will be continued and enlarged.

Recommendations are made herein for the extension of the Alex G. Brown Memorial Clinic for alcoholics.

As soon as possible the facilities of such a clinic should be made available to female offenders as well. If necessary a separate branch should be established.

Special provision should be made for the mentally retarded and deficient who offend against the law. Encouragement and training should be given these that they may be helped to find a place in society as law-abiding citizens. In this category are some who have borne several illegitimate children. Sterilization of these has been suggested, but it is not the answer. It might solve the immediate problem, but would raise so many other complications and problems that it must be rejected outright.

Probation, Parole and After-Care.

Greater use should be made of indefinite sentences for female as well as male offenders. Definite sentences now are employed to a degree that female offenders often have such a short term under supervision that an effective job of reformation and rehabilitation is next to impossible.

Probation of more female offenders to the care of properly-trained female probation officers should be considered.

In re-constitution of the Parole Board, and the setting forth of its duties, it should be kept in mind that part of its work will be carried out with respect to female offenders.

At present there is an unhealthy gap in the facilities provided for the reform of young female offenders.(at Galt Training School) and that provided for older offenders (at the Andrew Mercer Reformatory). Provision should be made for female offenders similar to that set up for males in the Ontario Reformatory, Brampton. This could take the form of a cottage plan set on the grounds of a re-established Andrew Mercer Reformatory.

Recommendations

The findings outlined above are enlarged upon in other parts of this Report and recommendations made with regard to both female and male offenders. At this point, however, the Committee recommends:

That consideration be given to an immediate start on a cottage-plan accommodation for young female "reformables".

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13. ALCOHOLICS

General.

While the role of alcohol in crime is often over-estimated, there is no doubt that alcoholic excesses are a major contributing factor to the conviction and incarceration of a considerable proportion of offenders in Ontario. Over 60 percent. of all offenders are sentenced for breaches of Liquor Acts, drunk driving or drunkenness. Over the past three years, when there have been about 40,000 sentences per year, about 25,000 of these have been for such offences.

Those who have very definite views on this subject are likely to forget two aspects: (1) these 25,000 are, for the most part, guilty of petty offences that would not qualify as "crime" in the strict sense of the word; and (2) they form a very small percentage of the total number of persons in this Province who drink. Nevertheless, they impose heavy pressure on custodial institutions throughout Ontario. This is true not only of jails but also of reformatories and industrial farms.

In considering the problem, clear distinctions must be made among those whose crimes were

in some way related to alcohol. They could be divided into three groups:

(1) Those who had too much to drink on a certain occasion, or certain occasions, made errors in judgment as a direct result of their alcoholic state, and engaged in actions that they would not have even considered when sober.

(2) Those who use drinking as an excuse for their anti-social actions. This group is different from the first group in that its numbers do things, even though emboldened by alcohol, that they were quite capable of doing while sober. It is convenient for them later to blame all their troubles on drink.

(3) Alcoholics. These are persons who are completely dependent on alcohol, who must drink almost incessantly throughout their waking hours, who have not the will to stop.

Comparisons have been made between the number of convictions involving liquor in this Province and the number in England and elsewhere. Such comparisons should be placed in very careful perspective. Ontario figures are, of course, much higher, but there are a number of acts in Ontario -- including common drunkenness, for which nearly 15,000 are convicted annually -- which are not considered offences in Britain.

The "treatment" accorded most alcoholics who got into trouble with the law in Ontario in the past, has been to send them to jail for 30 days to dehydrate, then let them out only to have them back within a week. The Committee interviewed some alcoholics who spent more time in jail than out of it. It is not unusual to find such persons who have a record of 25 to 50 convictions, and some of them have well over 100 convictions. They follow a discouraging and degrading routine. Most of those who might be called the "habitual drunks" have no money when discharged, and they return to old friends for help. The help is almost always in liquid form, and it is only a matter of time before they are again picked up, again appear before the magistrate and again are lodged in jail. The existing jail system offers no hope to such men.

For those who are sent to reformatories and industrial farms, rather than staying in the local jail, there is more hope. They may be able to undergo treatment to cure their alcoholism.

The Alex. G. Brown Memorial Clinic, Mimico.

This Clinic was established in September, 1951, in a remodelled three-storey brick building on the grounds of the Ontario Reformatory, Mimico. It signalled the start of a new approach to the problem of alcoholics in reformatories and industrial farms. Selected alcoholics from all parts of the Province are sent here for a 30 day treatment prior to discharge. The Clinic has accommodation for 30 inmates. The screening process leading up to admissions to the Clinic starts after a convicted person's admission to a reformatory or industrial farm. At each institution, a psychologist interviews two groups within a month after admission; those convicted of offences directly involving liquor, such as breaches of the Liquor Control Act; and those convicted of some other offence who said, in reply to a question on admission, that they considered themselves to be alcoholics and were interested in treatment. Such inmates, wherever possible, are kept segregated from other inmates of the institution during the second to last month of their sentence. They are told in detail about the Clinic, are given an opportunity to ask questions and are given two psychological tests aimed at determining their mental ability and the extent of their drinking.

Their personal history is noted, as well as their drinking history and the effect of drinking on their employment, social and family life, criminal activities and so on. Finally, each man in the group who volunteers - and no one goes to the Clinic unless he volunteers - is called before a meeting of the Institutional Classification Committee, made up of the Superintendent, the Psychologist and the Medical Officer. If the institution has no full-time medical officer, the third place is taken by the Senior Custodial Officer.

The purpose of screening is to find out which men are alcoholics, as distinguished from heavy drinkers; and which men realize they need help, and sincerely want help, to overcome their problem. The Classification Committee studies the evidence on these questions and decides, by majority vote, who shall go to the Clinic. Each man selected is transferred to Mimico within a few days and is housed there in regular accommodation until the last 30 days of his sentence are due, when he is transferred to the Clinic itself.

The staff of the Clinic consists of two full-time psychologists, part-time medical officers, a part-time nurse and four rehabilitation officers in addition to custodial officers.

The treatment is based on education, spiritual guidance and medicine. One of the specialists on the staff gives a lecture each day on alcohol and its immediate effects, followed by a question period, in order to educate the inmates so that they will know as much as possible about their problem and, also, will know what they can do to help themselves. In addition, there is individual counselling by the psychologists to help the inmates work out personal problems such as those involving home life and occupations.

Each Sunday there are religious services, and in addition there is religious counselling by an ordained minister who is available one half day a week. He conducts both personal interviews and group discussions. It has been found that many of the men have never been touched by religion and are not likely to be strongly influenced by it in future, but many others have been close to their church at some time and wish to get back to it. In most of the latter cases, their alcoholism has led them, directly and indirectly, to be almost ashamed to go to church. Their clothing had become shabby and they had lost the respect of the community. The religious counsellor encourages them to renew church associations

and shows them how it can be done once they left the Clinic and have resolved not to return to the use of alcohol.

The medical treatment includes building up deficiencies within the body that have been caused by alcoholic excesses over long periods of time. The treatment also includes the use of a medicine called antabuse, which is used as a "crutch" by which the men can help themselves back to a normal, sober life. In the Clinic, the men take one antabuse tablet each day with a glass of water, just as they would take a headache tablet. The effects of this medicine are fairly well known - it usually makes it impossible for a man to take more than a drink or two of an alcoholic beverage. Part way through the treatment period, each man at the Clinic is given a drink or several drinks of the alcoholic beverage that he has been in the custom of consuming. The purpose is to show the staff how much antabuse each inmate needs to work effectively on his system, and also to convince the inmate that antabuse really works.

On discharge from the Clinic, each inmate is provided with a supply of antabuse and is told that he can renew his supply without cost at any time by writing to the Clinic. An important phase of the

treatment is the after care carried on by the Rehabilitation Officers. They officially have no hold over an inmate after he has finished his sentence, but most discharges volunteer to allow the Rehabilitation Officers to keep in touch with them for at least one year after discharge. If an inmate's home is too far from Mimico for one of the Rehabilitation Officers based at the Clinic to keep in touch with him conveniently, he can be aided by the Rehabilitation Officer whose base is closest to his home. These officers are available for general counselling and encouragement and also are on call for emergencies.

It is too early to assess the success of the Clinic with certainty, but preliminary studies are extremely encouraging. Those who operate the Clinic do not consider that an inmate is fully recovered until he has gone four years after discharge in uninterrupted abstinence. On the basis of results to date, however, it would appear that the Clinic has a satisfactory degree of success and that it benefits society financially as well as in other ways.

A survey compiled some time after completion of the first year of operations showed that 48 percent of discharges had not returned to drink. Of the

remainder, some made the common mistake of thinking, after a period of abstinence, that they could return to social drinking and instead returned to alcoholism; and others started drinking again when they became extremely depressed about their progress and their personal lives.

The cost of the Clinic is close to \$50,000 a year. To place the financial picture in proper perspective, the improvement of discharges' earning powers and the decrease in costs of keeping them in custody must also be considered. Reports on 207 of the first discharges in the Clinic's early operation, including both those who were successfully rehabilitated and those who returned to alcohol, indicated that their annual time spent in custody was reduced by a total of about 17,000 days. This alone, on the approximate basis of \$4 a day custodial costs per inmate, would amount to an annual saving of \$68,000. It can be seen that after several years of operation, with hundreds and thousands of discharges living sober, law abiding lives, the annual savings will be many times the annual costs.

In addition, there are further savings which cannot be estimated in dollars and cents. The rehabilitation of alcoholics performed by the Clinic is a

humanitarian achievement that is worthy of the very best in any reformative system.

Alcoholics Anonymous.

Valuable work in the rehabilitation of alcoholics is carried on in institutions by Alcoholics Anonymous. Some of its members go into the institutions periodically and hold meetings and talk individually with inmates who are seeking a solution to their alcoholic problems. The work of A.A. is well known and cannot be too highly commended. It does not conflict in any way with the operation of the Alex. G. Brown Memorial Clinic, but rather provides another means of attaining the same end. Because of the nature of the organization and its methods, the Department of Reform Institutions cannot take an active part in its work except by facilitating and encouraging its operation in institutions.

Analysis.

There is no doubt of the wisdom and effectiveness of existing methods of dealing with alcoholics. There is doubt, however, as to whether these methods are reaching and benefiting as many inmates as is desirable. There is no establishment similar to the Brown Clinic for women, as in all

fairness there should be. Such an establishment could either be attached to the Brown Clinic or on the grounds of the institution that will replace the Andrew Mercer Reformatory. It would be on a much smaller scale than the Clinic for men, since there are fewer women inmates and therefore fewer women alcoholics, and its results would not be as spectacular, but there is no justification in denying to women the privilege of alcoholic treatment merely because they are few in number. It must be remembered that not only the women who take the treatment derive benefits, but also their friends, their families, the communities in which they live and society as a whole.

At present a man's intelligence is a factor in determining whether he shall go to the Mimico Clinic, because it has been found that those of low intelligence do not absorb the full meaning and significance of the lectures. As outlined above, it is an integral part of the treatment to have the men understand the causes for initial heavy drinking so that they may be better prepared to recognize the times in the future when the return to alcohol would most likely take place. By group instruction, lectures and other methods the specialist on the Clinic's staff attempts to show how feelings of tension, frustration, resentment,

anxiety and the like induced many of them to become dependent upon alcohol in the first place and could do so again. If these lectures, along with lectures on the medical effects of alcohol, are not understood, it is obvious that the treatment does not stand its maximum chance of success. The Committee is inclined to believe, however, that the requirement of a reasonably high level of intelligence reflects a weakness not in the men but in the Clinic. An alcoholic with low intelligence is a human being who merits the help of the Clinic as much as does another alcoholic with high intelligence. The Clinic attempts to drive home principles that are straightforward. Every effort should be made to ensure that the lectures are given in a correspondingly straightforward manner to a sufficient extent that intelligence becomes less important as a qualifying factor than it is now.

It is unfortunate, perhaps tragic, that treatment of alcoholics is confined to those who have been sentenced to reformatories or industrial farms. Nothing is done for those sentenced to jail. Thus there is a large gap in the area of treatment, for many alcoholics follow the routine of being continually in and out of jail on brief sentences for common drunkenness but do not commit the petty offences, such as minor

theft, that would result in their being sent to a reformatory or industrial farm. Under the existing system this gap would be almost impossible to avoid, since in the first place those sentenced to jails are not properly classified, in the second place the turnover of jail population is so heavy that it would be a huge task to try to keep track of all the alcoholics in all these institutions, and in the third place the short sentences themselves - 30 days, for example - rule out the possibility of careful individual investigations followed by transfer to the Clinic for the time necessary to effect treatment.

The Brown Clinic has amply demonstrated that something can be done for alcoholics and that it is worth-while doing. If it is worth-while doing for those sentenced for theft, forgery and so on, it is worth-while for those sentenced for common drunkenness. It is clear that those sentenced for common drunkenness should not be given futile short sentences, but should be given longer sentences including an indefinite term that allows time for classification, sorting out of the alcoholic and transfer to the Clinic for treatment. The Committee has had legal advice that the power to provide for such sentences is in the hands of the Province and it is clear that until this type of

sentence is provided, we will continue to have treatment for an inadequate number of alcoholics with resultant anguish to the inmates involved and their families, recurrent costs of trying and incarcerating them and a considerable degree of failure on the part of the reformatory system in the protection of society against the nuisance and shame of perpetual drunkenness. In a true reformatory system, with the stress on treatment aimed at rehabilitation to useful law abiding lives, the responsibility of treating all convicted alcoholics must be assumed fully and effectively.

Once longer sentences with indefinite periods were made the rule for offences involving liquor, it would be practical for the new Reception Centre recommended in this Report to receive, study thoroughly and classify all these persons and have them transferred for alcoholic treatment whenever warranted. Along with this provision, however, there should be an extension of existing facilities for treating alcoholics, either at the Brown Clinic or through establishment of similar clinics elsewhere in the Province. It is understood that expansion of the Brown Clinic is being considered to handle increasing numbers from reformatories and industrial farms as the treatment becomes better known and more and more volunteer for it. When

those housed in jails become eligible, further extension of facilities will be unavoidable.

As pointed out above, the Brown Clinic does not, and is not intended to, interfere in any way with the work of Alcoholics Anonymous. It is to be hoped that the utmost encouragement will continue to be given to A.A. members in their work with inmates.

Not touched by either the Clinic or A.A. is a very large group of inmates who drink to excess, whose anti-social actions can be blamed to some degree on their drinking habits, but who are not alcoholics. Departmental reports, dealing with committals rather than those sentenced, showed in both 1950-1951 and 1951-1952, that nearly 30,000 out of slightly more than 46,000 could be classed as intemperate in their drinking habits. Some of these are bordering on alcoholism but were not considered qualified for admission to the Brown Clinic for treatment. Since treatment is aimed at out-and-out alcoholism and is based on the individual's desire to co-operate and receive assistance, it would be unwise to modify the existing caution in determining who shall qualify. For intemperate inmates who do not qualify, detailed classification should indicate areas

of treatment designed to combat their drinking problems, as well as other anti-social behaviour, in regular institutional programs.

Recommendations.

On the basis of the findings outlined above, the Committee recommends:

1. That indefinite sentences be provided for all persons convicted of offences involving liquor so that all convicted alcoholics would become eligible for treatment, subject to screening for suitability.
2. That facilities for treatment of alcoholics be extended, either at the Alex. G. Brown Memorial Clinic or elsewhere, to ensure that facilities would be available for all convicted alcoholics, including female offenders.
3. That the treatment program be revised as much as is practicable so that the intelligence requirement for admission will bar as few as possible.

14. NARCOTICS ADDICTS

Narcotics addicts, while comparatively few in number, pose a problem in security and rehabilitation to which, generally speaking, few jurisdictions have found a satisfactory answer. While in custody they are irritating, hard to discipline, irrational and a general threat to the good order of the institution as a whole. When taken under medical treatment they may be weaned from addiction, but all evidence available indicates that drug addicts cannot now be medically cured. They can merely be deprived of the drug and kept out of circulation for a length of time.

Sentencing such addicts -- just under 100 of them in Ontario each year -- does little good. If anything, the addict, on discharge has an even greater desire to revert to his old habit. It has been said that while an alcoholic can be cured, narcotic addiction kills the will to be cured, and thus kills any hope of ever achieving any type of cure.

The ideal solution would be to remove the sources of supply. Enforcement of this provision naturally falls to the police and similar law enforcement groups.

In custodial institutions, some basic steps should be taken to rehabilitate addicts physically as much as possible. The addicts should be segregated in close security accommodation where they can have no influence over non-addicts of any type. Hospital treatment

should be undertaken to the full extent of present knowledge and research with a view to seeking the cause and cure of addiction.

It has been noted in Chapter II(A) that the Committee suggests that the penalties for persons who sell drugs should be as severe as possible. The crime of these peddlers is a particularly offensive one deserving of extreme punishment.

Recommendations

On the basis of what is known of narcotics addiction at the present time, the Committee recommends:

1. That addicts be given long sentences so as to facilitate ultimate rehabilitation.
2. That narcotics addicts be segregated in close security accommodation, with hospital treatment when desirable.
3. That research into the problem be instituted in relation to convicted addicts.

15. SEX DEVIATES

An Age-old Problem

One of the most serious unsolved problems of society is that of the sex deviate. Such a person is a menace to decency and morality and usually a threat to women and children. He poses a problem that has plagued society since the beginning of time. This is a matter that is revolting to the average person, but it is one that must be dealt with. In view of its significance, the Committee questioned closely a large number of persons who could be expected to have some knowledge of its details and its possible cure, including medical and psychiatric scientists, and institutional personnel. Inmates were also interviewed.

How and why does such abnormality come about? What can be done to prevent it? How can deviates be cured? Science apparently does not know the answers. In this day of near-miraculous medical and sociological progress, practically nothing is known about the sex deviate. The only thing that seems certain is that such persons are sick, either from physical or psychological causes or a combinations of the two.

In all penal and reform institutions, they are regarded as a particularly troublesome kind of criminal, not as sick persons; they are not being

cured by imprisonment, and upon their release society is not protected against them. This Province urgently needs to seek the advice of its own scientists and the experience of other jurisdictions in devising a new and more effective method of dealing with deviates.

The Situation Today

Unlike other facets of criminal action, sex deviation can continue after a person has been sentenced to an institution. It poses a threat to reformation, since the sexually abnormal can contaminate those who were normal when they themselves went to the institution.

Statistics give an incomplete picture of the extent of the problem. Many sex deviates are not apprehended until after they have committed offences many times; many are apprehended for other offences having nothing to do with their deviation; and the very nature of incarceration, with deprivation of normal sexual outlets, aggravates the problem considerably.

The total number convicted of what might be considered abnormal sex offences in 1951-52, the last year for which figures have been published, was 34 . The breakdown was as follows: carnal knowledge 29; rape and assault with intent to rape, 17; buggery, 18; gross indecency, 48; incest, 17; indecent assault, 127,

and indecent exposure, 87. More than half of these were sent to reformatories or industrial farms, and most of the remainder went to jails on short sentences. It is hard to imagine anything more futile than sending a sex offender to jail for two or three months with any hope that he will be a more acceptable member of society when he comes out than he was when he went in.

Among the sex deviates, as among criminals in general, there are psychopaths who are aggressive and, apparently, incurable. They might be called "sex perverts". They form an entirely separate group from those deviates who are passive, have accidentally developed abnormalities or have not yet become confirmed in deviation.

Existing legislation is unrealistic in regard to such deviates. A man known to be sexually dangerous cannot be apprehended, held in custody, and treated until he has committed a crime. Even if he is a confirmed deviate -- a pervert -- by the time he is first apprehended, he must be sentenced as a first offender and on the basis of one crime alone. Consequently, he is given a short sentence and sent to a reformatory -- or a jail -- where the officials are charged with the hopeless task of trying to cure him within a matter of weeks or months. Once his sentence

is finished, he immediately is let loose once more upon society. The only good that has been done has been to "take him out of circulation" for a short time. This is not enough. It is a temporary expedient in the protection of free society, and it often results in the initiation into abnormality of some members of society who are in institutions.

In the institutions, powerful conditions are in continual ferment not to reform or cure, but to aggravate the offender's propensities for further sex aberrations. By depriving inmates of normal sex expression, incarceration brings about greater tendencies toward sex abnormalities. Unfortunately, the younger and weaker inmates face the greatest potential dangers.

Relatively few persons are incarcerated for the crime of homosexuality, probably because of the difficulties of apprehension. It is a generally accepted fact, however, that homosexuality exists in our society to a disturbing degree. Superintendents of institutions report that a great many of those sentenced for other crimes exhibit homosexual tendencies in the institutions. Homosexuality is a perplexing problem which custodial institutions attempt to handle with inadequate facilities and inadequate staff.

Two factors affect the amount of homosexuality extent within institutions: the degree of segregation and the degree to which dormitory accommodation is utilized. Superintendents try to segregate deviates, especially perverts, from the general inmate population, but they do so through hit-and-miss methods based on incomplete information without the benefit of proper initial classification and scientific advice. As for dormitories, they seem to have been perpetuated by a false sense of economy combined with slight administrative conveniences. It is obvious that homosexuality can more readily develop and spread when accommodation is in dormitories, rather than individual cells, and inmates have shown considerable cunning in evading detection. Quite apart from the other indictments expressed elsewhere in this Report, the prevalence of homosexuality alone should outlaw the dormitory system and dual occupancy of cells as well, in all Ontario custodial institutions. These forms of accommodation cannot and must not be tolerated any longer.

Institutional staffs include too few psychologists, doctors, and other personnel trained to deal with this problem. They are not sufficient to treat the sex deviates, even if they had the

facilities to do so, in addition to their general routine and rehabilitation duties. Their task might be likened to that of the Welsh housewife who attempted to sweep back the mighty waves of the Atlantic Ocean with a few flimsy corn brooms.

A New Approach

The subject of sex deviation has been outlined above in a manner that is of necessity somewhat superficial. A thorough study would require detailed medical and scientific research. Such a study must be undertaken in Ontario in an effort to find permanent and satisfactory solutions. Certain elementary steps should be taken however to facilitate this study and to give society the maximum possible protection while the study is in progress.

The core of a new approach to the problem should be recognition of the fact that sex deviates are sick people. Their incarceration, in most cases, should be regarded as hospitalization rather than penal detention, with the best efforts of medicine and science concentrated on finding cures for individual patients. The cures will not be simple. Surgical operations, which have been prescribed in some countries, do not offer a satisfactory solution. It must be achieved in the majority of cases through patient

individual study of each offender by qualified doctors, psychiatrists, psychologists, social workers, and other trained personnel. Each sex offender must be treated, not as an ordinary criminal, but as an individual problem.

About one of every 10 sex offenders is female, and the principles of her treatment should be the same as those formulated for males.

The first step toward more effective treatment of sex deviates should be a re-examination of the laws. While the maximum practical freedom of the individual must be retained, there should be a more adequate method of dealing with the sexually abnormal in the courts. Indefinite sentences for sex offenders are absolutely essential. Some medical experts believe that certain of these offenders -- very few -- could be handled by intensive probation coupled with treatment through hospital out-patient clinics. This possibility should be investigated thoroughly. For the majority, however, there is no alternative to incarceration at the present time.

The existing procedure for sentencing sex offenders is ineffectual, since a magistrate can no more be expected to prescribe treatment for a sex deviate than he should be expected to prescribe treatment

for a person suffering from a heart ailment. On conviction of every sex offender, a magistrate should order a remand and obtain a detailed medical pre-sentence report before imposing sentence. At present, facilities for obtaining such a report in the majority of courts are not available. It should be noted that some jurisdictions outside of Ontario have set up a close security hospital centre where sex offenders are admitted to enable careful screening at a court level and complete segregation from all other offenders.

For the treatment of sentenced sex offenders, complete segregation should be provided. A thorough classification procedure should be set up to segregate the perverts from the other offenders. Ample provision should be made for productive hard labour. Under no conditions should inmates of this institution be housed in dormitories or in any manner that would facilitate the engagement in homosexual activities. Supervision should be close and the staff should include a sufficient number of the professional personnel who are equipped to treat these cases. In view of the scarcity of such personnel, salaries should be attractive enough to ensure that the best will be obtained. As with the Reception Centre, it would be an obvious advantage for this unit to

be located at or near a University centre. The personnel of the institutional wing or unit should work closely with the staffs of universities and hospitals in research projects, and in connection with undergraduate and graduate courses involving the treatment of sex deviates.

Sentenced sex offenders should go to this unit directly from the courts. Deviates who are found to be engaging in abnormal activities at other institutions, should be transferred here for treatment. Under existing laws, it would be possible to transfer such persons but it would be impossible to detain them for any length of time necessary to effect a cure. Therefore, the law should be changed to provide for trial in a regular court, of anyone charged with a sex offence in an institution, just as trial now is provided for escapes and certain acts in connection with riots in institutions. If found guilty, the person would be sent directly to the special unit for treatment on the same basis as other sex offenders, except that he could not be discharged from custody completely until completion of the remainder of his sentence for the original conviction. If found not guilty, he would serve out his sentence in the normal manner.

Within the special institution, segregation of perverts from the other deviates should be complete. For the others, there would appear to be some hope for a cure; for the perverts, on the basis of present medical knowledge, there would appear to be no hope.

With proper safeguards for the rights of the individual, the indefinite sentences given sex offenders should be of a type that they can be retained in the institution until cured. For the sex pervert, until further medical advances are made, that period might be the remainder of his life. Such a policy may appear to be harsh when contrasted with existing procedures, but it certainly would be more realistic and would afford society the protection it should have. And it would be no more harsh than the policy of keeping mentally sick persons in mental hospitals until they can safely be discharged, or of keeping persons suffering from tuberculosis in a hospital until the required hospital treatment is complete.

The personnel of this special unit should include some whose main function is research. They would spearhead the scientific study that is required for progress in this field.

Recommendations

On the basis of the findings outlined above, the Committee recommends:

1. That facilities be provided for detailed study of all convicted sex offenders for the guidance of magistrates in imposing sentence;
2. That all sex offenders be given indefinite sentences which are not to be terminated until curative measures have taken effect.
3. That a separate close-security unit, adequately staffed with trained personnel, be established for the treatment of all sentenced sex offenders.
4. That persons charged with committing sex offences in institutions should be tried in a regular court, and if found guilty, sent to the special unit for treatment on the same basis as other sex offenders.
5. That an extensive scientific study be undertaken immediately into the nature of sex deviation and the methods of dealing with it, such study to be spearheaded by personnel at the separate unit for deviates when established, the first duty of the research team to be to advise in detail which offences should be considered sex offences for the purpose of the above recommendations.

CHAPTER VII

PROBATION, PAROLE AND AFTER-CARE

1. REFORMATION OUTSIDE INSTITUTIONS

Aside from institutional programs, a huge field of reformation is involved in efforts to reform offenders outside the institutions. This field can be broken down into three parts: probation, parole and after-care. If reformation is to be successful, aid, guidance and supervision are essential to help offenders become rehabilitated to a normal, law-abiding life in the community. The whole rehabilitative process involves the matters outlined in this section no less than the programs in institutions.

The distinction between the three types of reformation outside institutions could be summarized as follows:

(a) Probation - This is supervision of an offender while he remains at liberty. He is placed on probation, in the care of a Probation Officer, instead of being sent to an institution. He continues to work and live with his family, and he is encouraged by the conditions of the court and the guidance of the Probation Officer to lead a normal regular life and to confirm habits and attitudes that will help him to live such a life after the probationary period ends.

(b) Parole - This is supervision of an offender while he is at liberty following discharge from an institution. When he was convicted he was given a definite sentence plus an indefinite sentence. At the discretion of the Ontario Board of Parole, he may be discharged at the termination of the definite sentence and be placed on parole, under supervision of a Parole Officer, for the duration of the indefinite sentence.

(c) After-care - This is assistance and guidance to aid rehabilitation following discharge from a complete sentence. It can be given only when an ex-inmate volunteers to accept it. It can apply either to those who served their entire sentences in institutions, with no early discharge for parole, it can also be granted to those who have been released on parole. This work is done by what the Department of Reform Institutions calls "rehabilitation officers".

Probation is the present responsibility of the Department of the Attorney-General. Parole and After-care are the responsibilities of the Department of Reform Institutions.

An adjunct of probation that is important to itself and also to institutional programs is the pre-sentence report, a detailed summary of a probation officer's findings on an individual offender that is used by the court for guidance in pronouncing sentence.

Until last December there was practically no liaison between probation and parole services. A system was introduced then by which reports of probation officers were sent to the Department of Reform Institutions so that, for the first time, they could be fully utilized in institutional and parole programs.

Parole is handled by the Ontario Board of Parole, a body that operates independently although it is part of the Department of Reform Institutions for administrative purposes. Supervision of parolees is carried on by officers of the Department of Reform Institutions whose responsibilities embrace both parole and after-care. Their full title is "parole and rehabilitation officers".

The existence and operation of probation, parole and after-care are reflections of the enlightened concept, developing gradually in modern society, that mere punishment is not always the best way of dealing with offenders. For certain offenders, the end of reformation -- and of protecting society against repeated crimes by them in future -- can best be served by emphasizing reformative and rehabilitative efforts rather than punishment. Probation should be used, and in the main is used, only for those who appear to be definitely reformable, preferably first offenders, and who deserve a full opportunity to prove that they can become good citizens. Parole and rehabilitation should be used in a similar way, differing in degree, but too often they are not used with such discrimination.

2. PROBATION AND PRE-SENTENCE REPORTS

(a) Evaluation. Two functions are carried out by Probation Officers: supervision of those on probation and preparation of pre-sentence reports for the guidance of the court in pronouncing sentence. The combination of these two functions in the duties of a single officer is logical, has been found to work out well in practice and undoubtedly will be continued. Whenever probation officers are referred to in this Report it is assumed that they will perform both functions.

Pre-sentence reports are essential to a system that hopes to provide the maximum possible protection to society. They enable the courts to sentence according to the nature of the individual as well as the nature of the crime, and so enhance the likelihood that individual offenders will be given the type of treatment that will induce them to reform. Without such reports, the courts are placed in the position of a doctor who has to prescribe treatment without obtaining a diagnosis. Because individuals differ, it is not realistic to pronounce sentence solely on the basis of the crime committed if the long-range aim of protecting society is to be followed. An offender's previous record of convictions, if any, gives some indication of the type of treatment that might be expected to be effective, but it is a highly fallible indication in many cases. What is needed is an investigation of his

home environment, social relations, general background, personality, character and other factors that have a bearing on the commission of crime. This is the information contained in pre-sentence reports.

The future of an offender -- whether he will live a law-abiding life or not -- hinges to a considerable extent on what treatment is prescribed for his anti-social action. This is particularly true for first and second offenders. The pre-sentence report appears to be the most satisfactory means of ensuring that the court has all the information necessary to make wise and carefully-considered disposition.

The word "probation" is derived from the Latin verb meaning to prove. An offender is "probated" by being given a chance to prove himself. Thus he is allowed to continue at liberty following conviction with the opportunity to prove himself, and this involves a set of general and specific conditions that he must fulfill and, also, his supervision during the probationary period by a probation officer.

A probation sentence should not be confused with mere suspension of sentence. Probation is much more than a means by which the offender is saved a term in custody. Basically, it is recognition by society that for some individuals the end of reformation is more important than the end of punishment. Furthermore, it neither excuses the commission of crime nor "lets off" the person who has committed crime. It is a method of dealing with offenders that has been proven

to be effective and to be fair both to the offender and to society. For such selected offenders, in the main, a term in custody would be less effective and less fair to all concerned. For some, the conditions of probation and the careful supervision impose more hardship than would a term in custody. Probation poses a challenge and makes it necessary for offenders to help themselves, while a term in custody, in essence, not only strips them of their liberty but also takes away much of the need for their initiative and assumption of responsibilities.

A probation sentence saves expense to society, because it is much less costly to keep an offender on probation than to keep him in custody. He continues to earn his living and support his family, while if he were in custody he would himself be supported by the taxpayers and, in many cases, his family would be supported by the taxpayers. As a probationer he retains his family ties, his initiative, his responsibility and his self-respect. Neither he nor the members of his family have to assume the stigma that society attaches to a term in a custodial institution.

These facts make it clear that probation has a greater potentiality for reformation than has a term in custody. There is more chance of inducing an offender to live a law-abiding life if the training and supervision can be done while he is in society, not isolated from it. Right living results largely from

good habits and attitudes, and probation is the ideal method for inculcating these things in receptive offenders.

Comparative figures bear out the effectiveness of probation as compared to terms in custody. Seventy to eighty per cent of those places on probation do not again commit crimes, while the figure for those committed to custody is from 20 to 35 per cent. Even the best of custodial systems, according to experience here and in other countries, would be hard pressed to exceed 50 per cent.

It is worthy of note that Britain, which adopted probation in 1907, and has made extensive use of it, has seen its annual prison population drop from 185,000 in that year to less than 40,000 now. All courts in Britain have probation facilities, and one of every two convicted persons is placed on probation. While it would be an over-simplification to give probation the full credit for the reduction in prison population, there is no doubt that it has been a major factor. In the corresponding period in Ontario, without extensive probation, the number committed has risen at a sharper rate than the population growth so that it now is not much less than Britain's total, although Britain has ten times the population.

The number who served time for their offences in Ontario in 1952-53 amounted to one of every 175 per population.

In Britain, the ratio was one of every 1,259 in the last year for which statistics were available, 1950.

In other words, taking population into consideration, more than seven times as many persons were committed to custody in Ontario. Again, probation is not the sole reason for the difference but it is a major factor.

It is clear that probation is not a suitable type of sentence for all offenders. It is suitable only for those who definitely are reformable, namely a large proportion of first offenders and a much smaller proportion of repeaters. Probation should be used with discretion if it is to achieve its maximum effectiveness.

(b) Organization and Procedures

Probation officers in Ontario are now appointed and supervised by the Director of Probation Services in the Department of the Attorney-General. They are adjuncts of the courts, however, and they are directly responsible to the courts in their day-to-day operations.

Due care is taken in steps preliminary to their appointments. Standards for qualification are based on the prospects of the applicant to become a good and effective officer. Those with special training in social work and similar fields are given preference if other things are equal, but the emphasis is on maturity, interest, aptitudes and ability rather than

formal training. This is a sound policy that should be continued.

If the applicant is deemed suitable his appointment to a court does not follow automatically. The Director of Probation Services, having ascertained that a certain court wishes to have a probation officer and plans to make full use of his services, takes the applicant to meet the magistrate and other senior court officers with whom a probation officer would work. If these local authorities give their approval to an applicant, he is appointed to be their probation officer. If they do not give their approval the appointment is not made, and the procedure is repeated until an acceptable choice is found. In this way there is some assurance that the courts will appreciate the value of probation services from the start, and use them to the best and fullest advantage, without the interference of personal adverse feelings.

The probation officer works on assignment of the court. The usual procedure is for the magistrate, after convicting a person on the evidence, to remand him for seven days and ask the probation officer to prepare a pre-sentence report. To get this report, the officer conducts informal interviews with the offender himself, members of his family, his associates, his friends, and any other persons who may be able to provide enlightenment as to his personality, character, background and any other factors that may have a bearing on the anti-social action for which he was convicted. Once he has

gathered all the data he thinks necessary, the probation officer summarizes his findings in a report to the court. On the basis of this report the court decides what sentence is most likely to be effective.

If the offender is placed on probation with custodial sentence suspended, the probation officer, - usually the same one who prepared the pre-sentence report--continues investigation into the causes of the offender's decision to commit crime. He sees the probationer once a week, taking care never to visit him at his place of employment. He checks to make sure the probationer is abiding by any conditions the court may have imposed, and that he is leading a law-abiding life. If the pre-sentence report showed that a significant cause of the probationer's trouble was association with bad company, the court may have told him that one condition of his being placed on probation was that he must discontinue these associations. In all ways the probation officer tries to see that his charge fulfills prescribed conditions, and leads a good and regular life.

In addition, of course, the officer acts as counsellor. This is a vital facet of his work. He talks things over with the probationer and strives to get to know and understand him well. His function is to be an interested friend as well as an officer of the court.

(c) Extent

The greatest drawback to probation in Ontario is that there is not enough of it. Last January there

were 15 probation officers covering the courts of four cities and handling 1,900 probationers. In May, when this Committee started its study of probation, there were 17 full-time officers in these four cities, and also two part-time officers elsewhere. Forty-two of the 48 Judicial districts in Ontario had no probation facilities. Since that time the members of the Committee have repeatedly stated their support of probation, and the Committee is pleased to note that the Department of the Attorney General's long-standing aim of extending probation facilities has been reflected in appointment of 20 more officers--an increase that extended probation to 20 of the 48 judicial districts. The total of 39 officers in January supervised 1,900 probationers. At that date there were 24 officers who had been on staff less than a year, and several who had been on the job for less than a month.

The doubling of the probation staff in the past year is a commendable step, although it is unfortunate it was not done long ago. More new appointments should be made to provide probation coverage for all 48 juridical districts. At least 35 more officers are needed, bringing the total to 74, to provide minimum coverage for the entire province.

At present many officers, especially in Toronto, are over-loaded and consequently are unable to carry out the duties with the desirable thoroughness. There are 10 officers in Toronto carrying a total case-load of 750 in addition to their work in compilation of

pre-sentence reports. At least five more officers are necessary to permit adequate service of the probation work now required, and several more undoubtedly will become necessary as the courts gain more confidence in probation and make more use of it. Recently one officer in Toronto, in addition to compiling pre-sentence reports, was carrying a case-load of 134. In effect, he was trying to do the work of three. In order for probation to have its maximum success the case-load should not exceed 50 at any one time.

(d) Costs.

Probation officers are paid adequate salaries, ranging up to \$4,500 plus \$120 cost-of-living bonus.

Only other costs are for a secretary and expenses, paid by the province; and rent, if necessary, paid by the municipality. The initial expense of setting up an office and furnishing it is borne by the Province, along with any other furnishings and equipment costs that may become necessary.

The following are maximum costs of operation for a probation officer per day:

Salary	\$12.00
Secretary's salary	7.00
Expense allowance	<u>3.00</u>
Total	\$22.00

These expenses are maximums, not averages. It therefore could be assumed that the average total cost to taxpayers, including rent and routine additions

to furnishings and equipment, would be about \$22.00.

When a probation officer carries a case-load of 50, the following are the costs of probation per day:

Probation services for 50 offenders	\$22.00
Probation services for one offender	.44

For comparative purposes, it should be noted here that the average daily net cost of keeping a prisoner in a Reformatory or Industrial Farm is \$3.77, and that the net cost of keeping 50 such offenders in custody totals \$188.50 daily.

On a daily basis, then, the following is the general cost picture for probation as compared to custody in an institution:

For one offender:

	<u>Probation</u>	<u>Custody</u>	<u>Saving Through Probation</u>
For one day:	44 cents	\$ 3.77	\$ 3.33
For three months:	\$40.04	\$344.19	\$ 304.15
For six months:	\$80.08	\$688.38	\$ 608.30
For one year:	\$160.60	\$1376.76	\$1216.16

For 50 offenders:

	<u>Probation</u>	<u>Custody</u>	<u>Saving Through Probation</u>
For one day:	\$ 22.00	\$ 188.50	\$ 166.50
For three months:	\$2,007.50	\$17,209.50	\$15,202.00
For six months:	\$4,015.00	\$34,419.00	\$30,404.00
For one year:	\$8,030.00	\$58,838.00	\$60,808.00

(The savings noted above must be regarded as potential or long-range, since decreased population in an institution does not obviate the costs of maintaining and staffing it by these amounts immediately.)

The above tables show that when a magistrate decides to place a man on probation for one year instead of sentencing him to a Reformatory or Industrial Farm for one year, he saves the taxpayers a potential \$1,216.16. On the basis, when he makes this decision for 50 offenders he saves the taxpayers \$60,808.00.

Certain factors modify the cost picture. In the first place, only certain offenders can be deemed suitable for probation and therefore these savings would not be possible for all those who are convicted; and in the second place, probationary periods usually are longer than the term in custody that otherwise could be imposed. A probation officer averaging a case-load of 50 might handle a total of only 70 during a year, while a portion of a custodial institution with average inmate population of 50 might handle a total of 125 or more during a year.

Even taking these factors into full consideration, a realistic and most conservative estimate of the saving that can be effected by a single probation officer would be \$30,000 a year over a long-range period.

Although such savings would not be likely to show up immediately, they could very well keep costs stable in the face of the rising numbers of offenders. It should be pointed out that the figures above do not

take into account the additional savings that accrue through probation simply by a better rate of reformation, and consequently a decrease in recidivism and a decrease in the police and court costs of dealing with recidivists. In a number of years probation could be a factor in making it possible to close some institutions or parts of institutions, as has been done in Britain.

The savings would be particularly significant in the next decade in Ontario. The logical prospects for increasing numbers of offenders, if the present system continues, have been outlined in the section of this Report dealing with The Problem. There would appear to be two alternatives making such provisions:

- (1) To continue the existing system and build more institutions to handle more inmates, at initial cost of hundreds of thousands of dollars, and average operating costs of \$3.77 per inmate per day; or
- (2) to revise the system, placing stress on extension of probation at initial cost of about \$700 for setting up each new probation office and average operating cost of 44 cents per inmate per day.

It should be obvious that building more institutions merely to hold more inmates in the framework of the existing system would be futile. This step would

perpetuate the high rate of recidivism. The cost to taxpayers, with nothing effective done to stop the increasing crime ratio, would continue to rise. If more institutions are to be built they should be designed to provide long-range benefits to society, and more institutions like the ones we have now would not bring benefits either in reformation or in finance.

It is clear, in the interests of protection of society, of reformation and of economy, that there should be no hesitation about which of the two alternatives should be followed. Probation services should be extended to the practical limit with all practical speed.

3. PAROLE

(a) Establishment.

The Ontario Board of Parole was established in 1916 under enabling legislation passed in 1902 by the Federal Government. Since that time there has always been a Parole Board in this province, consisting at various times of five, six and seven members.

In 1946, under the Revised Statutes of Ontario, the board membership was set at a maximum of six, with three to be a quorum. An amendment to the Parole Act in 1952 raised the maximum membership to nine, and provided for the appointment of a Chief Parole and Rehabilitation Officer.

Until May of 1953, the Board Chairman also acted as Chief Parole and Rehabilitation Officer. At that time he was replaced on the latter post by an official of the Department of Reform Institutions who was not a member of the Parole Board.

Until the Spring of 1953, the Parole Board had a full membership of nine. One member then resigned and has not been replaced, and the resignation of another member was placed in the hands of the Minister last fall. Currently the Parole Board is in an unsettled state, both in regard to appointments to fill these vacancies, and in regard to other appointments.

Provision is made in the Act for payment of salaries to the Board Chairman, the Secretary and the Parole and Rehabilitation Officers. Members of the Board are entitled to reasonable and necessary travelling and living expenses while absent from home on Board business as certified by the Chairman.

The Chairman has been classified in a salary range of \$3,750 to \$4,300. For the fiscal year ending March 31, 1953, Board salaries, including those to Parole and Rehabilitation Officers, totalled \$34,517.07; allowances and expenses, \$10,077.55; expenses of returning parole violators to prison, etc., \$221.33; travelling expenses, \$4,176.34; maintenance, \$2,495.93.

There is one woman member on the Board. Other members are a former Salvation Army official, a former detective, a minister and a lawyer, all of Toronto; and a minister from Ottawa. The Chairman has been a retired minister.

(b) Operation.

The Board visits five Ontario institutions: Burwash Industrial Farm, Andrew Mercer Reformatory for Women; and Mimico, Brampton and Guelph Reformatories. Every institution is visited once a month.

The Board sets aside two days a month for Guelph, but a day and a half usually suffices. About the same time is spent at Burwash. Half a day is sufficient for hearings at Mercer, half a day at Mimico, and a day at Brampton.

During the Calendar year ending December 31, 1953, the Board heard 1,405 applications for parole from men and 125 from women. Parole was granted to 693 men and 31 women. The Board holds about 60 hearings a year.

The Board reports to the Minister once a year. Periodic reports are sent to the Chief Parole and Rehabilitation Officer and the Minister is provided with the minutes of every Board meeting. Superintendents get only the minutes of meetings held in their institutions. Decisions of the Board are final as far as the Department of Reform Institutions is concerned. Appeals can be made only to the Dominion Minister of Justice.

Until April, 1952, the Board had the power to make regulations for its own guidance. These regulations were subject to the approval of the Lieutenant-Governor-in-Council. At that time, however, an amendment to the Parole Act provided that the Lieutenant-Governor-in-council could make regulations defining the duties, powers and responsibilities of the Board, the Chief

Parole and Rehabilitation Officer, Parole and Rehabilitation Officers and the Secretary of the Board. While the sections of the Act dealing with conditions under which parole may be granted have to be approved by the Minister of Justice, ordinary regulations do not require such approval.

Board members were told over a year ago that new regulations were being prepared. The Board had not been called into consultation in the drafting, nor had its members submitted suggestions to the Minister, when the Committee enquired about this matter last fall.

While the new regulations are pending, the Board is operating under regulations laid down in 1946. These regulations give the Board full direction and control of officers, staff and files, but an amendment introduced in 1952 appears to have removed this control from the Board and placed it under the Department.

Parole and Rehabilitation Officers are no longer responsible to the Board. They report directly to the Department. The sole duty of the Board appears now to be to decide whether or not a prisoner should receive parole. Where they have granted parole, the duty of supervising that prisoner becomes the responsibility of the Chief Parole Officer.

If a man breaks his parole, the parole officer has authority to take him into custody, have him returned to custody, and report the facts to the Chief Parole Officer who, in turn, reports it to the Board.

Every inmate, regardless of his previous record, who is under what is known as a "parole sentence"--part definite and part indeterminate--appears before the Parole Board. This is an automatic procedure.

The regulations require that the Board shall periodically visit each of the places where prisoners are confined; that a prisoner may be brought before the Board at a time determined by the Board; and that the Board may meet from time to time to consider their work and to give general or other directions as may be deemed advisable.

When considering granting parole, the Board is to have before them, where possible, reports outlining particulars of the trial and conviction, the sentence, a report from the trial judge or magistrate; his record; a report from the Chief Parole Officer; a report from any person who may have reliable information concerning the prisoner and his pre-prison environment; the superintendent's report and any other statements which may give an indication of his character, abilities and prospects.

As soon as a person receives a parole sentence and goes into an institution, a file is started for him in the Parole office. A report goes to head office and then to the Parole Board officials, giving details of the sentence. The Board endeavours to see the prisoner two to three months before the end of his definite sentence.

When an inmate appears, the Board has a report from the superintendent as to his conduct and industry. It is not a recommendation for parole, but in practice it appears to be accorded considerable weight. If it is adverse, the prisoner is most unlikely to be paroled.

The magistrate's report sets out the details of the crime and any other information the magistrate may have at hand. Further reports come from such sources as lawyers, clergymen and the police. All these reports are read by the Secretary before the prisoner presents himself, a procedure which takes about two minutes. It is estimated the Board spends about ten minutes on each case, including the interview with the prisoner.

The Parole Board receives a copy of daily information from each institution, including a statement of inmates' misconduct. This goes to the Board office and is tabulated on the inmate's file so that all available information of this nature can be ascertained readily during parole hearings.

In addition to the above reports, the Board receives a report by the Parole and Rehabilitation Officer who would be responsible for the parolee, and a psychological report.

Usually the Board only sees a man once, unless his application is deferred or is rejected subject to review later. Interview procedure is informal. The Board members sit around a table. The

applicant is brought into the room and stands before them while they ask questions.

Once a prisoner is granted parole he is removed from the jurisdiction of the Board and is the responsibility of the Chief Parole and Rehabilitation Officer, who is not responsible to the Board. Only in the case of parole violators does the Board's responsibility resume, due to the regulation which provides that no proceedings against a person who fails to observe the conditions of his parole shall be taken without the direction of the Board.

(c) Evaluation.

The task of the Parole Board is a difficult and complicated one. The Board has in its hands the power to grant freedom or deny it--a most important power that imposes grave responsibilities. The decisions of the Board must be just and must be based on a wide range of factors, carefully weighed and considered. Its decisions affect not only the inmates, but also their families and their communities.

In the face of such heavy responsibility, the Committee regrets to find that the present Board is lacking in leadership, in careful and analytical procedure, and in policy. Its entire operation appears to be haphazard.

The Board's dealings with those convicted of certain serious crimes, such as sex offences, appear to

be mainly the result of improvisation without the guidance of any agreed-on policy. Studies on parole procedures elsewhere would provide a logical background for establishment of policies by the Ontario Board, but these studies are taken into account only by any individual members who may be interested.

An example of inadequate care in this regard is provided by the following excerpt from the Committee's proceedings. The Chairman of the Parole Board, testifying last June, said:

"The sex offenders, the arsonists of the first and second classes, and the 'dope' addicts-- their conduct and industry may be all right, but we would not think of letting them out even if the Superintendent gave a good report. They are the classes we absolutely refuse to let out. We have a debt to society and we know it."

The Committee learned later that 30 sex offenders, some of them convicted of particularly disgusting crimes, had been granted parole during the preceding eight months. A Committee member stated this fact in a public hearing of the Committee.

At a subsequent hearing, the Chairman of the Parole Board said he had meant sex perverts when he referred to sex offenders. He said there was no ruling to the effect that sex perverts and pyromaniacs would not be granted parole, but Board members would be extremely reluctant to grant it. One Board member produced statistics showing the parole possibilities

of these and other types of offenders, but other members demonstrated a lack of full knowledge of the factors involved.

In order to discharge its responsibilities in the most able manner possible, the Parole Board should study the findings of other jurisdictions, as well as its own records, and establish a general policy as a basis for carrying out its duties.

The consideration given individual cases is far out of proportion with their importance. To make a decision that is the most vital thing in the life of the inmate and the lives of those in his family for the ensuing months, the Parole Board gathers written data and conducts a brief, rambling interview. On the average it takes two minutes for the Secretary to read the reports, eight minutes for the interview and decision, so that total time devoted to each individual averages 10 minutes.

While the applicant stands, usually ill at ease and straining under the tension, the Board members ask a number of questions in a manner that is often not conducive to finding out the true facts. For example, an insight into an inmate's motivation and sincerity cannot be obtained by a question such as: "If we grant you parole, will you really try to change your ways and lead a good life?" This question--which was asked at a regular hearing in the Committee's presence--is a leading one to which any inmate who wants parole could give only one answer. The Board has not established a

regular set of questions with the weight of the answers established in regard to the advisability of granting parole. After the questions have been asked and the reports on the individual studied, the Board decides whether or not parole shall be granted in a way that is anything but scientific.

A parole decision involves many intangible human factors that cannot be measured by a pre-determined yardstick. But it also involves factors for which scientific guidance is available. The Board should use all such guidance as a basis for setting up an interview form, with a number of weighted questions to ensure that decisions are consistent with the best parole practices. To increase the likelihood of a satisfactory interview, the Board should make more effort to ease the tension and make the inmate comfortable. The interview itself should be more thorough, delving into the individual's background, attitudes and future prospects. This cannot be done in 10 minutes. It is doubtful if it can be done in a single interview.

The procedures of the Parole Board suffered enormously by comparison with procedures at the Reception-Guidance Centre at Elmira, N.Y. At that centre a group of experts spent up to 50 minutes of discussion on each case, in addition, each expert's having studied the applicant over a period of 6 weeks, in the Committee's presence, to determine to which institution inmates should be sent to serve their sentences. The task of the Parole Board is as important,

in its own way, as the task of classification, and it requires much fuller consideration and much greater skill, understanding, and leadership than have been exhibited by the present Board.

The fault does not lie entirely in the practices of the Parole Board. It lies also in the lack of detailed information reported to the Board. If a fair and considered decision is to be arrived at consistently, a full psychological report is indispensable, and hearing and discussion of this report alone should take much more than 10 minutes. Reports on the inmate's general background should be detailed after the fashion of a pre-sentence report. Until last December, pre-sentence reports prepared by probation officers were not made available to the Parole Board--a situation that showed lack of cohesion between probation and parole services in the common interest of reformation.

The Board should not be required to work under regulations that its members know are out-dated and are being replaced. Such a situation inevitably causes confusion. Although it does not excuse the present Board for its lack of policy, it constitutes an unnecessary obstacle to formulation of policy.

A single parole hearing is insufficient to ensure a well-informed, carefully-weighed decision. The Board should interview each inmate progressively after commitment in order to become familiar with all the details of the case.

The decision of whether a person shall become eligible for parole at all is made by the court when pronouncing sentence. If the court orders a definite sentence with no indefinite term, parole cannot be considered. There is evidence that the courts do not always take all factors into consideration when deciding on the type of sentence--in fact, without pre-sentence reports they are in no position to do so--but the court decision nevertheless is final. If the court states that an inmate is to have definite-plus-indefinite sentence, he should be considered objectively for parole. The Board apparently has taken upon itself, on occasion, the duty of correcting what it felt to be a mistake in judgment on the part of the court. This it has no right to do. Applications for parole should be considered strictly on their merits, without reference to the severity or leniency of the original sentences. (3)

The superintendent's report on conduct and industry is important, but it should not be over-emphasized. Undue emphasis probably is natural so long as some of the other data is sketchy, but every effort should be made to place the superintendent's report in proper perspective as exactly what it purports to be, and no more, namely a summary of the inmate's behaviour in the institution.

The Committee believes that judicious consideration of parole can effect great financial savings and earlier and surer redemption of human beings, whereas delayed parole can cause inmates to become embittered.

Parole is too big and too important a job to be entrusted to a part-time unpaid Board, regardless of the capabilities of some of the members. It should be handled by a full-time civil service body to be comprised of not more than five persons, paid salaries commensurate with the responsibilities involved and the abilities required. In making appointments to the Board, due recognition should be accorded the fact that it must deal with both male and female inmates. Only persons with the necessary high qualifications should be appointed to the Board.

(d) Advisory Board.

For Juveniles, discharge on a basis that is tantamount to parole is directed by a voluntary Advisory Board. This Board decides when juveniles, all of whom are sent to Ontario Training Schools for indefinite periods, should be released, and the juveniles continue to be wards of the school until they are 18.

The public service rendered by the members of the Advisory Board is commendable, and they have made a conscientious and valuable contribution to wise and humanitarian dealings with juvenile delinquents. But because of the fact that it is based in Toronto and its members do not see the juveniles for whom they make decisions, the Advisory Board is not able to perform its function in the most desirable manner. In addition, the Committee believes that the proper body to decide

on releases from all Provincial institutions, including Training Schools, is the Parole Board. Therefore the Advisory Board should be disbanded and its functions assumed by the re-constituted Parole Board.

AFTER-CARE

(a) The Second Punishment

It has often been said that the punishment of an offender really begins after his discharge from an institution. To a considerable extent this is true. It is not a valid statement as applied to a confirmed recidivist who has no desire to reform but instead returns to his old friends and his old habits; but it certainly is valid as applied to an ex-inmate who wants to reform. He has been stigmatized by a term in custody. His record hinders his efforts to get a job, causes disappointment and embarrassment in ordinary family and social relationships and generally jeopardizes his normal place in the community. Often he has little money on discharge, and faces an immediate financial crisis.

In such a setting it is all too easy for a well-intentioned dischargée to become disillusioned. If the hiatus between discharge and employment stretches into days and weeks and perhaps months, the temptation to return to crime becomes brave. If he succumbs to temptation in this critical period all the reformatory efforts spent on him during his term in custody are lost. The whole reformatory program of our institutions is designed to help the offender make a satisfactory re-adjustment in free society after his discharge. The success or failure of this program hinges largely on the period immediately after discharge. If it succeeds, society regains

a useful and productive citizen; if it fails, society suffers a sharp loss in human values and in dollars and cents.

Therefore, for both humanitarian and economic reasons it is incumbent upon society to provide some form of after-care in its own interests as well as those of the dischargee and his family.

At present, after-care is carried out mainly in three ways: through the Parole and Rehabilitation Officers of the Department of Reform Institutions, through private agencies such as the John Howard Society, the Elizabeth Fry Society and the Salvation Army, and through the individual interest and efforts of private individuals.

In the final analysis the power of reform lies in the community in which the inmate lives. The strong-willed can achieve reformation despite the hostility of the community, but many others cannot overcome such hostility.

In consideration of after-care, as in consideration of other aspects of the reformatory process, a distinction must be made between the reformables and the non-reformables. Those who are genuinely anxious to reform should be accorded every opportunity to carry out their aim; but those who have demonstrated time and again that they cannot and do not wish to reform, have thereby demonstrated that they are not worthy of trust and assistance.

(b) The Role of Parole and Rehabilitation
Officers

These officers, as has been pointed out previously, have a name that is not entirely accurate. It would be more exact to call them Parole and After-Care Officers, for the true meaning of rehabilitation embraces many aspects of the reformati-
tive process. They serve both those releasees on parole and on request, those released unconditionally following completion of definite sentences.

Once a prisoner is released on parole, he becomes the responsibility of the Chief Parole and Rehabilitation Officer.

The first condition of his parole is that he shall, on the first day of every month, until his final release, forward by mail to the Chief Parole Officer, a report on himself, stating whether he has been constantly at work during the last month, and if not, why not; how much he has earned and how much expended; and making a general statement as to his surroundings and prospects.

He is also required to report in person to a local police officer immediately upon his release on parole, and to make subsequent reports in person between the 15th and the 20th of each month until the completion of his parole.

During the period from January 1, 1953, to December 1, 1953, the total placed on parole was 1,035. Of 971 men granted parole, 851 completed the

parole. During the same period 64 women were granted parole and 47 of these completed the parole.

Under the present system, inmates are advised on admission to an institution that the services of a Rehabilitation Officer are available and that they may arrange to see him. The officer's duty is to help, by any means that seem adviseable, all inmates who request his assistance. His most basic function is to try to arrange for jobs after discharge.

Aside from the services of the Rehabilitation Officer, the main way by which the institution helps discharges is a cash gratuity amounting to \$2 per month of the sentence up to a maximum of \$20 per individual. Civilian clothing is supplied on occasion, but many discharges refuse to wear anything that reminds them so constantly of their term in custody.

One of the chief difficulties of Rehabilitation Officers is lack of appreciation of their services. This is natural to some extent, since many inmates are independent by nature and prefer to make their own way after discharge without assistance from anyone associated with the institution. Many recidivists scorn the officer's services because they do not intend to become law-abiding citizens after discharge. Other recidivists complicate the officer's task by making insincere requests for assistance.

In view of the sound judgment and personal qualities required of a Rehabilitation Officer, it is surprising to learn that they receive no formal training and, in many cases, very little informal training. There is no established policy for sending newly-appointed officers a booklet of instructions and suggestions. A brief interview with the Chief Parole and Rehabilitation Officer has sometimes been the only preparation given a new officer for guidance in carrying out his duties.

Geography poses further complications. In Northern Ontario, especially, Rehabilitation Officers are responsible for immense areas. As well as dealing with inmates in institutions in that area, they are expected to provide guidance and assistance for those who come to the area after discharge from institutions elsewhere. Liaison between officers involves a certain amount of red tape that detracts from the likelihood of smooth and successful operation. Officers must contact the Chief Rehabilitation Officer in Toronto before seeking to enlist the co-operation of an officer in a nearby or adjacent area. Since time is so often of the essence, this procedure can lead to unfortunate delays.

Within institutions there is insufficient encouragement for inmates to obtain the help of Rehabilitation Officers. Although they are told such assistance is available when they are admitted,

there is a lack of follow-up. The result is that many who might have benefitted from the officer's services do not seek him out.

The officer endeavours to interview inmates in advance of discharge, either on parole or at expiry of sentence. In practice this interview is generally a month before release, and sometimes much less. The chief purpose of the interview is to determine if the prisoner will need assistance when released, and just how the officer can provide this assistance.

Some efforts are made at the institutions to commence rehabilitation of prisoners soon after they reach the institutions, but the officer's part in this process too often is a last-minute attempt. The rehabilitation program looks adequate on paper, but too seldom is effective in practice.

The initial rehabilitative process begins with the taking of a case history. At Burwash and Guelph Reformatories, where the services of a psychologist are available, these are used in gathering the case histories. From these histories and the results of a series of tests, an attempt is made to determine accurately the extent to which the prisoner needs rehabilitation and the best method of bringing it about.

The tests are interpreted to the inmate while he is at the institution. At an allocation meeting, the case histories and tests are discussed

by senior officials of the institution and, within the limitations of the institution's facilities, the inmates are assigned to the duties that seem most suitable. These may involve trade training or work in one of the available industries.

If an inmate is in need of financial assistance on discharge, the Rehabilitation Officer may advance certain sums of money to tide him over until he is earning again. These advances are made as loans. In addition to the loans made by officers at the institutions, money and such things as workmen's tools can be advanced by officers stationed at Head Office, if it appears such assistance is justified.

The Department is spending about \$1,500 a month in advances. More than half of this is never repaid.

Quite a number of those who are helped financially are in the derelict group. They pose recurring problems for the Rehabilitation Officers, especially the officers at Head Office. Much of the assistance to this group is through free meals and the Department has a standing agreement with a Toronto restaurant for this purpose. Some of the recidivists abuse even the minor privilege of free food, and have been refused service by the restaurant.

(c) The Role of Private Agencies

The Department makes annual grants to three

organizations which assist in rehabilitation work. In the last fiscal year these were the Salvation Army, \$15,000; John Howard Society, \$10,000; Elizabeth Fry Society, \$1,000.

helpful and constructive service is provided by private agencies assisting discharged persons. But rehabilitation basically is the responsibility of the Department of Reform Institutions, which bears the brunt of criticism for failures of after-care efforts, and which has to admit those who again offend against the law. Private agencies play a valuable role in after-care services and in educating the general public to its responsibilities. They certainly should be encouraged in every practical way, but they should continue to be, in effect, supplementary to the Department.

However, the Committee does not approve of the action of the Department in appointing a Rehabilitation Officer, paid by the Department, to work in conjunction with a particular organization such as the Elizabeth Fry Society. The principle should be retained that after-care is primarily the responsibility of the Department of Reform Institutions under the direction of the Rehabilitation Division.

(d) The Role of the Community

The attitudes and co-operation of the community, as exhibited by private individuals and societies, is the most vital factor in effective

after-care. Lasting reformation can only be achieved in the community. Yet community co-operation, with a number of specific exceptions, is notably lacking.

It is in the community that the dischargee faces the stiffest test of his hopes for reformation and rehabilitation. He often finds that it is next to impossible to get a job or to resume normal social relations. The community, and the individuals in it, have unintentionally stigmatized him. Although they may subscribe in theory to the high ideals of reformation, they are hesitant to carry out the ideals in any personal relations they may have with a dischargee, either in connection with obtaining a job or in normal social affairs. They do not distinguish between the confirmed repeater and the offender who regrets his previous actions and sincerely wants to start life anew.

Greater results could be obtained if those who have not offended against the law would take a personal interest in reformation of offenders instead of tending to shun and distrust them without regard to individual characteristics and potentialities.

Municipalities, whether large or small, should be encouraged to set up volunteer organizations to devote their efforts to assisting rehabilitation of those who have been discharged from custody.

Church organizations could perform a valuable service in the true spirit of their religion by

taking on active interest in after-care. They could to a greater degree visit individual offenders while incarcerated, and provide practical assistance to those who sincerely desire rehabilitation. Such efforts, of course, would have to be carefully planned in order to be effective. Personal dealings with inmates and dischargees must never be handled in a condescending manner.

(e) The Need for Expanded After-care.

The importance of after-care in the all-over aim of the protection of society cannot be over emphasized. After-care deficiencies can render ineffective all institutional efforts at reformation.

Although after-care is basically the responsibility of the Department of Reform Institutions, it cannot succeed without the active co-operation of the general public. The Department is to be commended for its establishment of a rehabilitation service, recognizing a long-felt need, but it is clear that the rehabilitation service has not as yet come close to achieving its maximum effectiveness. It is equally clear that public appreciation and co-operation in regard to after-care is regrettably slight.

The method of appointing Parole and Rehabilitation Officers should be revised. At present these appointments are made by the Department of Reform Institutions without prior consultation with the Chief Parole and Rehabilitation Officer. The head

of this important branch certainly should be consulted in the naming of new officers, and should be given as free a hand as possible in the work of building up the service.

New Rehabilitation Officers should be given an intensive training course to prepare them for their duties. Such a course has been suggested by the Chief Parole and Rehabilitation Officer but the suggestion was never implemented.

The Chief Rehabilitation Officer should have his duties more exactly defined so that existing confusion about responsibilities and duties would be eliminated.

The entire operation of the rehabilitation service should be reviewed and improvements made that would increase its effectiveness by such means as delegating fuller responsibility in some matters to the Rehabilitation Officers. All officers should be full time. When guards are appointed part-time Rehabilitation Officers, it is usually found that they have insufficient time for thorough after-care work.

In the institutions there should be more emphasis on the aid available to inmates after discharge. Some inmates told the Committee on their discharge day that they knew nothing of the work of the Rehabilitation Officer, and contact between inmates and the officer often is so late in the sentence

that effective after-care in the critical period immediately after discharge is next to impossible.

After-care services are not sufficiently concentrated on the reformables as distinguished from the recidivists or non-reformables. The Department of Reform Institutions has had discouraging experiences in after-care efforts on behalf of recidivists. While recidivists should not be ruled out on the after-care program if they are sincere, efforts should be concentrated on those who are definitely reformable, including a large proportion of first offenders. For this reformable group, the financial aid available should be greater than at present for particularly good prospects for reformation. It is inevitable that there will be many failures in after-care work, but by concentrating facilities on the reformables, the proportion of failures should be reasonably low.

The services of Parole and Rehabilitation Officers should be extended to cover all jails.

The amount of money given to inmates on discharge is a maximum of \$20, plus railway fare to the localities from which they came. This provision is not made for inmates in jails. The brevity of sentences and the heavy turn-over of population in jails, makes it impossible to provide exactly the same discharge aid as is provided in reformatories and industrial farms, but consideration should be given to at least providing transportation home if

such aid appears to be justified in the interest of reformation. In northern jails particularly the Committee found that inmates were discharged penniless and hundreds of miles from home. In such a situation it is not surprising that many dischargees immediately get into trouble again.

To ease the danger of a return to crime in the critical period immediately after discharge, it is recommended elsewhere in this report that discharges should not be made later in the week than Wednesday. Otherwise there can be an interval of several days over a weekend before a dischargee can obtain money honestly. To further ease the danger of this period, a "half-way house" should be established to provide a place where a discharged person may have temporary accommodation and food pending the securing of employment.

Private agencies should be encouraged to continue their valuable after-care work.

The Department of Reform Institutions should encourage municipalities as well as church groups and other organizations to take a more active interest in the problems of after-care. This could further an educational program that would emphasize the desirability of reformation not only in human values, but also in untimate savings to taxpayers.

5. ANALYSIS

The three services of probation, parole and after-care differ in many ways. Probation deals with persons who have not been sent to institutions, while parole and after-care deal with persons who have been sent to institutions. Other differences are obvious - for example, probation involves reformative efforts on a person who is likely to be grateful that he was not sentenced to custody, and therefore is likely to be receptive and co-operative; parole and after-care involve working with persons who may be embittered because of their imprisonment. In probation and parole there is distinct control and supervision, while after-care is on a voluntary basis.

Despite these differences, the three services have a basic similarity in that they deal with offenders who are at liberty. As indicated by the detailed outlines above, there are certain defects in the operation of all three. Many of these defects can be traced to faulty administration and policy. There is a lack of co-ordinated effort by the three services toward their common goal of reformation. There is duplication of effort by parole and probation officers particularly. The work of these services should be based in varying degrees on information as to offenders' background, motivation, personality and potentialities, and it

is only logical that their findings and experience should be pooled. Until last December there appeared to be no pooling between probation and parole, and there is no guarantee that the informal co-operation instituted at that time will continue indefinitely to the mutual benefit of both services.

Measures should be taken to avoid duplications of effort and inconsistency of policies among the services of probation, parole and after-care; and to insure the greatest possible co-operation. The fields of parole and after-care already are co-ordinated through the fact that single officers perform both duties. The inter-relation of probation is not recognized in the existing organization. Its recognition is necessary for the smoothest possible operation of reformatory efforts outside institutions. The means of recognition should not be the establishment of a system of officers who handle all three services, for probation officers have sufficient diversification of duties now, and so have the parole and rehabilitation officers. The skills required for the three services - and particularly for probation as distinguished from parole and after-care - are specialized skills and it would be most unwise to expect one officer to exercise the three functions with maximum effectiveness. At present, the gap between probation on one hand and parole and after-care on the other is confirmed and intensified by the

fact that probation is supervised under the direction of the Attorney General, and Parole and after-care are supervised under the direction of the Minister of Reform Institutions.

In the past the divergence of administration and policy among these services may have been of little consequence, but the time has come to recognize the vital importance of reformative work outside institutions, and to establish inter-related policies and administration in order that the best possible results may be obtained in the interest of both the offenders who would stand to gain in fuller, more constructive new lives, and the taxpayers who would stand to gain through the financial savings that would be certain ultimately to accrue.

To attain these ends, the services of probation, parole and after-care should be co-ordinated to a single authority. A properly descriptive name for this authority would be the Ontario Commission of Correction. It should be a semi-judicial body responsible to the Minister of Reform Institutions for administrative purposes, but free to act independently in administration of the affairs of probation, parole and after-care. It would be impartial and, of course, would be a civil service body. While the Commission should absorb the personnel now engaged in the work of the three services, the commissioners themselves should be persons who are not, and never have been, employed in either the Department of the Attorney General, or the Department of Reform

Institutions. Appointments of Commissioners should be made with considerable care, with the strict requirement that they have the necessary qualifications to give sound and practical administration. The services to be supervised by the Commission are both complex and vital and the members of the Commission should be selected on the sole basis of qualifications and merit.

The Commission should be composed of five members. Once the reception centre, recommended in this report, is established, consideration should be given to including the reception centre among the responsibilities of the Commission.

6. Recommendations

On the basis of the findings outlined above, the Committee recommends:

Commission of Corrections

1. That a Commission of Corrections be set up to co-ordinate the services of probation, parole and after-care, such Commission to consist of five full-time civil servants.

2. That such Commission be responsible to the Minister of Reform Institutions for administrative purposes, but that it be a semi-judicial body, independent and free to discharge its duties in an impartial manner.

3. That appointees to the Commission be persons not now or previously employed by either the Department of Reform Institutions or the Department of the Attorney General.

4. That the Commission absorb the three services of probation, parole and after-care.

5. That the Commission establish the maximum possible inter-relation in the policies and operations of the three services.

6. That the Commission assume the management and control of the Reception Centre when established as recommended in this report.

Pre-Sentence Reports.

7. That pre-sentence reports on all first offenders and selected repeaters be provided the courts for guidance in pronouncing sentence.

Probation.

8. That adequate probation services be provided throughout the Province with all practical speed by appointment of at least 35 additional officers.

9. That all first offenders be considered for probation, but that repeaters be placed on probation only in exceptional circumstances.

Parole.

10. That the Ontario Board of Parole be re-constituted as a full-time civil service board of five persons, appointments to be made with due regard to the high qualifications necessary and to the fact that both male and female offenders are involved.

11. That the Parole Board interview progressively inmates who will become eligible for

parole during their definite sentences so that decisions will be based on the fullest possible knowledge of individual cases.

12. That the Parole Board be supplied with more detailed information about applicants, including full psychological reports.

13. That the Parole Board establish general policies for its operation based on scientific studies of parole practices and potentialities.

14. That the Parole Board develop a weighted interview system and make more effort to place interviewees at ease.

15. That the cases of all parole applicants be considered strictly according to their merits regardless of the severity or leniency of the sentence.

16. That new regulations be put into effect immediately to lessen uncertainty and confusion of Board members.

17. That the Advisory Board for juveniles be disbanded and its functions assumed by the Parole Board.

After-Care.

18. That the name of the service now known as "rehabilitation" be changed so that it shall be known as "after-care."

19. That after-care services be intensified on first offenders and others who appear to be particularly good prospects for reformation.

20. That Parole and rehabilitation officers be given an intensive training course before assuming their duties.

21. That after-care facilities be extended to all custodial institutions under Provincial control including jails.

22. That all parole and rehabilitation officers be on a full-time basis.

23. That transportation provisions be made in deserving cases for those released from custody long distances from the place from which they came.

24. That the maximum \$ 20 gratuity on discharge be granted through the parole and rehabilitation officers, to be given out in credits for food and clothing if such methods are considered desirable.

25. That a Half-Way House be established through existing agencies in large centers of population to ease the critical period between discharge and the finding of employment.

26. That the Department of Reform Institutions give every encouragement to municipalities and organizations in order to promote successful after-care.

CHAPTER VIII

FIRST OFFENDERS

In the fiscal year ending March 31, 1953, a total of 15,596 persons were committed to jails in Ontario for the first time. This was about one third of all persons committed during the year. Supporting evidence indicates the proportion of first offenders actually convicted was about the same.

The crime statistics of the future depend to a large degree on the treatment of these first offenders. If the maximum number of first offenders could be reformed each year, the statistics would be likely to show a gradual drop over a period of years rather than following the upward trend established in the past.

As with the offenders in any other category, individual first offenders are not all alike and it would not be practical to accord them all the same treatment. The differences lie in their personalities, their backgrounds and the extent to which they are confirmed in crime by the time they commit their first adult offence. Therefore, all comments and recommendations

concerning first offenders made in this Report are intended to be general, taking into account individual differences. But the conclusion is inescapable that most first offenders are better prospects for reformation than repeaters, and consequently the greatest of care should be taken to ensure their treatment is of a type that is most likely to bring about reformation.

No change would be desirable, of course, in the method of trying first offenders. They are tried and either acquitted or convicted on the basis of the evidence alone. But, once convicted, a detailed pre-sentence report is indispensable in guiding the court to a decision on what the sentence should be. The use of pre-sentence reports should be extended so that one will be prepared for every convicted first offender. These reports are prepared by probation officers in areas where such officers have been appointed, but there are still areas without probation officers, as well as other areas where probation officers have to carry too heavy a case load and are unable to perform their duties with the desirable thoroughness.

Methods of dealing with convicted first offenders were studied carefully by the Committee.

There is no doubt that, generally speaking, a term in custody is not as likely to lead to reformation of first offenders as is a term on probation. (This matter is discussed in greater detail in the section of this Report dealing with Probation.) Exceptions to the general rule would include drug addicts, sex deviates and alcoholics. Another group of first offenders who might not be suitable for probation would be those with lengthy and serious juvenile records. The subject of juvenile records is a delicate one, and the Committee is convinced that there have been instances where their use has been abused. Essentially they are confidential in nature, and their only valid use in connection with a court case is after conviction when some mention can be made of them in pre-sentence reports, along with many other factors, for the guidance of the court in determining sentence.

The sentence and treatment of first offenders is a factor in whether an individual's first offence will open or close the door to a criminal career and, consequently, whether or not society will be plagued with continued law-breaking and recurrent costs of incarceration.

Once the first offender or any other offender has finished his sentence he has paid his debt

to society, in theory. But in practice, it often is only the first instalment of his debt. Whether he has had one conviction or 20, he is stigmatized in the eyes of society for the rest of his life. The public goes to the expense of helping him to reform and then bars him from some of the actions any free man should be able to take. Even if his only offence was a minor one 25 years ago, the one-time offender finds that his record can disqualify him from certain types of employment, and from crossing the border. For society to permit this situation to continue would be neither fair nor realistic. For these reasons, the Committee recommends elsewhere in this Report that the Dominion Government should give consideration to expunging the records of first offenders who have clearly demonstrated over a period of years that they are intent on leading a law-abiding life.

Recommendations

In accordance with the findings outlined above, the Committee recommends:

1. That pre-sentence reports be prepared for the guidance of courts in sentencing all first offenders.
2. That incarceration of first offenders be discouraged except where there are exceptional circumstances.
3. That probation be given first consideration in the sentencing of all first offenders.

CHAPTER IX

RECIDIVISTS AND HABITUAL CRIMINALS

1. General

The problem of those who persist in crime is perhaps the most basic in the whole field of penology. It involves deplorable wastage of human lives and huge expenditures of taxpayers' money. Attempts at reformation are aimed mainly at solving this problem by trying to induce convicted persons not to return to crime after their release from custody or supervision.

Recidivists can be divided into two categories. There are those who are relatively harmless, such as elderly derelicts and habitual drunks, whose effect on society is largely that of a nuisance; and there are those who are dangerous, including psychopaths, who actively endanger the peace and safety of society.

The proportion of recidivists in the inmate population of Ontario custodial institutions runs to about 70 percent. Up to 55 percent have been convicted at least three times previously. These figures, unfortunately, have changed little in recent years. It is clear that the problem is not being solved, nor is there evidence of much progress toward a solution.

In the year ending March 31, 1952 -- a fairly

typical year -- the criminal history of all those committed showed the following: first offenders, 36 percent.; second offenders, 15 percent.; third offenders, 11 percent.; and those who have offended four or more times, 38 percent. Of those sent to reformatories and industrial farms, 20 percent. were first offenders, 15 percent. second offenders, 10 percent. third offenders, and 55 percent. fourth or more.

The cost to the taxpayers of keeping such persons in custody is several million dollars annually. The cost over a period of years is staggering. The federal commission headed by Mr. Justice Archambault, which completed its investigation in 1938 when costs were much lower than they are today, made a study of 188 individual recidivists and found that their total costs to the state over the years had been \$4,607,090.76 or \$24,453.24 per individual. These costs included detection, arrest, trial and incarceration. In Ontario, taking into consideration the increased costs of administering justice and holding prisoners in custody, the Committee estimates there are hundreds of persons in our institutions now whose total cost to the state has been much more than \$24,000 each. Many, with records of 20, 30 and 40 convictions, have undoubtedly cost more than \$50,000 each. To be

realistic, these costs would have to be adjusted upward to include the incalculable but tremendous loss to society of useful and productive citizens.

From the humanitarian viewpoint, the cost of recidivism is equally high. It is discouraging to realize that in this progressive age so many individuals spend most of their adult lives in jails. The following case histories are examples:

- (a) This man was first convicted in 1938 on charges of theft and having concealed weapons. He was sentenced to six months definite and three months indefinite on each charge, concurrent.
- 1939 - shopbreaking and theft (2 charges) - 15 months definite, three months indefinite.
- 1941 - unlawful possession of revolver -- three years.
- 1944 - theft of auto (2 charges) - 24 months less 1 day definite, three months indefinite.
- 1947 - theft of auto -- 2 years.
- 1947 - break, enter and theft -- 5 years, consecutive to above sentence.
- 1952 - Br.Narcotic Drug Act (2 charges) -- 24 months, less 1 day and \$200 fine or additional two months consecutive."

It should be noted that the above offender has a record that includes serious charges, that there has been no interval of any length between the time he was released from one sentence and the time he was charged again, that he served two terms in penitentiaries and that he is now back in a reformatory.

"(b) This man was first convicted in 1921 as a common drunk. And the sentence was an alternative of a fine or a jail term of ten days.

1921 - theft - fine or one month

1921 - theft - three months

1921 - theft - twenty days.

1922 - theft - six months definite, six months indefinite.

1925 - violation of Drug Law - one-half to five years.

1930 - theft - suspended sentence.

1930 - theft - one month.

1931 - attempted theft - thirty days.

1932 - theft - thirty days.

1932 - theft (shoplifting) - remanded for sentence

1932 - theft - six months definite, 6 months indefinite.

1934 - theft - thirty days

1934 - theft - thirty days.

- 1934 - theft - three months.
- 1934 - unlawfully at large - One year.
- 1934 - unlawfully at large - two years consecutive
with above sentence.
- 1936 - theft - six months definite, six months
indefinite.
- 1937 - theft - thirty days.
- 1939 - theft - four months
- 1940 - selling drugs (2 charges) - two years, fined
\$200, or six months additional to each
charge, consecutive.
- 1943 - selling drugs (4 charges) - one year, \$200
fine, 1/d three months each charge,
consecutive.
- 1943 - selling drugs (4 charges) - two years,
fined \$200., 1/d six additional months,
each charge, consecutive.
- 1945 - theft - four months.
- 1946 - breach Narcotic Drug Act - twelve months
and \$200. fine; 1/d six months additional.
- 1947 - theft - six months.
- 1948 - theft - four months.
- 1948 - theft - six months.
- 1949 - having drugs - two years and \$200. fine or
six months additional.

1952 - 24 months less 1 day, and
one month, 1/d \$200. fine.

This case is somewhat typical of many, showing a man who has been convicted repeatedly of minor charges, as well as some serious charges, and who has been given a series of short sentences with no beneficial effect whatever. In thirty-two years, he was convicted on a total of thirty-eight charges.

(c) This man was first convicted in 1912 for vagrancy, and was sentenced to six months.

1915 - vagrancy - three months definite, twenty-one months indefinite.

1917 - vagrancy - six months less one day.

1920 - vagrancy - six months.

1921 - theft - three months definite, twenty-one months indefinite.

1923 - housebreaking and theft - three years.

1926 - vagrancy and carrying loaded revolver -- six months definite and six months indefinite.

1928 - shopbreaking and theft (2 charges) - five years each charge conc.

1932 - 1. Breaking, entering and theft (2 charges) one year each charge conc.

2. Unlawfully possessing firearms - three months, conc.

1934 - vagrancy - three months.

1935 - 1. breaking, entering and theft by night
six months.

2. Possessing housebreaking instruments -
six months, conc.

1935 - shopbreaking with intent; possession of
housebreaking tools - three years each charge,
conc.

1941 - vagrancy - one month.

1943 - vagrancy - four months definite and two
months indefinite.

1944 - vagrancy - ten days.

1948 - vagrancy - ten days.

1950 - 1. breaking, entering - three months.

2. vagrancy - ten days, conc.

1951 - shopbreaking and theft - twenty-four
months less 1 day definite, twelve months,
indefinite.

Here is another case that demonstrates the
common type of recidivism. The story is much the same
as in case (b) - a long uninterrupted series of minor
offences, short sentences, and only a few serious charges
with longer sentences.

(d) This man was first convicted in 1948 for
attempted auto theft, and sentenced to three
months.

1948 - (six months after first conviction) -

attempted suicide - six months.

1950 - theft - three years.

1952 - attempted robbery - eighteen months.

Here is a younger man who started six years ago with a relatively minor charge, then tried to commit suicide, and has since been convicted of two serious charges. His record to date has all the earmarks of the beginning of a dangerous and costly criminal career unless he is reformed, and on the surface the prospects for his reformation would appear to be slim.

Such men as those whose records are listed above are allowed to mingle with more reformable inmates in some of our institutions. The fact that they can mingle with "reformables" is a hindrance to the effectiveness of even the best reformatory staff. Their very presence complicates efforts at reformation by reducing the time that can be spent on the guidance and treatment of "reformables", and they create further obstructions by their adverse influence. No body of prisoners should be expected to contain both confirmed recidivists and the more reformable types of inmate if reformation of those who are willing and capable of reform is to be accomplished.

In the non-technical sense, a great many

recidivists -- for example, the man with thirty-eight convictions in thirty-two years -- certainly qualify as habitual criminals. But they seldom come under the section of the Criminal Code providing for life sentences for habitual criminals. The Code's definition requires convictions for three indictable offences for which the maximum term of imprisonment could be five years or more each before a person may be charged as a habitual.

An indication of the extent to which reformatories have to handle inmates who patently are most unlikely to reform, is the fact that, on a given day (September 18th last) the number of prisoners in reformatories and industrial farms, who had previously served penitentiary sentences was 286, and the number who had previously at least three reformatory sentences was 695. These figures did not take into account, how many times prisoners may have served sentences in common jails. Although the two figures undoubtedly overlap, it is clear that well over 700 of the inmates in custody on that day -- more than one-quarter of the total inmate population -- fell into one, or both, of these categories.

The Committee feels that the definition of an habitual criminal in the Criminal Code should be

more realistic, as recommended elsewhere in this Report; that persons who have served a previous term in a penitentiary, or three or more previous terms in a reformatory, have demonstrated their unwillingness to reform, and should not be eligible for re-admission to a reformatory; and that these prisoners, by their records and their demonstrated unwillingness to reform, be clearly shown that they deserve much longer sentences than most of them now receive.

It is debatable whether a confirmed recidivist should be a charge of the Province at all. But if we are to assume that at least some of them will continue to be provincial responsibilities, then steps must be taken to provide more adequate and proper treatment for them.

2. Derelicts

For those whose offences are minor, prison means a place where room and board are free and treatment is good. Many of these have no family ties, no permanent home, and have long ago lost any ambition to make something of themselves. Consequently, they tend to be content to be in a custodial institution, despite the loss of their liberty, because they are more comfortable when they are there than when they are in free society. The returns to the taxpayers from

the productive efforts of this type of inmate while in custody are slight, since many of them are elderly and in poor physical condition.

For these derelicts, reform is unlikely. The time to reform them was early in their criminal careers, before they lost their initiative, their hopefulness and their sense of right and wrong. While some of them are to be regarded with disgust, others deserve a degree of sympathy. In the latter group are veterans who commit only minor offences, and who are happier in custody than at liberty.

That anyone should feel -- with some justification -- that he can live better and more comfortably in an institution than a free life is a grave reflection on our society. No system of reformation and custody can do anything about the general situation, but it can and should do two things: ensure that derelicts produce as much as possible, thus defraying the cost of housing them; and, by means of a full and rigorous program, make its institutions more punitive and less comfortable, so that those who regard petty theft and even incarceration as easy ways of life would be more inclined to earn an honest living.

The problem of derelicts is a difficult and complicated one, beset by evidences of the frailties

of human beings and the weaknesses of society. In addition to other factors, the cost factor is worthy of consideration. Sentences are so short, as a rule, that the cost of detecting, arresting and trying derelicts is nearly as great as the cost of incarcerating them. Costs would be reduced considerably if confirmed derelicts were given longer sentences rather than serving short sentences and then being released only to be picked up and convicted again within a period of days or weeks.

The best way of handling this problem would be, first, to give derelicts longer sentences; second, to segregate them completely from other types of inmates; and third, to institute a work program in keeping with their physical capabilities that would reduce their net cost to society and would also make their incarceration less of a holiday.

3. Criminal Psychopaths

Probably the most dangerous type of inmate in any institution is the criminal psychopath, who suffers from a definite mental disorder for which there appears to be no known cure at the present time. He is the person with whom it is an obsession to be anti-social. He manifests this obsession while at liberty by committing crimes that are carefully planned and

ruthless. His obsession is not necessarily reflected in a low mentality or a belligerent attitude, for many psychopaths are personable and highly intelligent. Once in an institution, they demonstrate their obsession by trying to ferment discontent, or to undermine respect and confidence in the staff. Often they seek to achieve their objectives through influencing others of lesser intelligence, and they may do so without bringing any blame on themselves.

To have psychopaths mingle with the general inmate population is to ask for trouble. It is estimated that about 10 percent. of the inmates in Guelph and Burwash are psychopaths.

Psychopaths certainly should be segregated, and they should be required to work hard and long -- for them, the old concept of "hard labour" should be revived. Their sentence should be of sufficient duration to benefit free society to a much greater degree than is now the case. Scientific research on the causes of their obsession and the possibility of a cure should be carried on while they are incarcerated.

4. Recommendations

On the basis of the findings outlined above, the Committee recommends:

1. That sentences of confirmed recidivists be

long enough to bring real benefit to society.

2. That persons who have served a previous sentence in a penitentiary, or three or more sentences in a reformatory, should not be readmitted to a reformatory.

3. That confirmed derelicts be given longer indefinite sentences, segregated completely from other inmates, and provided with an extensive work program in keeping with their capabilities.

4. That criminal psychopaths be segregated completely from other inmates and be given hard labour.

5. That scientific studies of the causes and possible cure of criminal psychopathy be carried out in regard to psychopaths while they are in custody.

CHAPTER X

JUVENILES AND ADOLESCENTS

The Committee has become increasingly concerned with the question of Juvenile Delinquency, and has examined every possible avenue available in order to determine its cause and possible cures insofar as this is possible.

Undisputably, many of those now crowding adult institutions had their beginnings in offences against society some time before reaching their maturity; in some cases their criminal beginnings reach back as far as the early school years. While it was impossible for the Committee to devote to this particular problem the minute studies that it would require for detailed solution, consideration has been sufficient to indicate the scope of the difficulties and to indicate measures that might be helpful in alleviating them.

The Courts.

Upon the Judges of the Juvenile and Family Courts falls the greatest responsibility in dealing with children and young people who offend against the law. They must hear the evidence, try to assess fairly the many factors involved, and make decisions that will affect young offenders for the rest of their lives. Unfortunately juvenile court judges are overworked and suffer particularly from overcrowding of the docket and insufficiency of court officers to gather information for them. They deserve the highest commendation for the excellent work they are doing despite the limitations imposed upon

them. They are devoting a great deal of time and effort to their tasks with a high degree of sincerity and interest of purpose. To supplement their efforts, it is only fitting that they should be provided with every facility necessary. In addition, their burdens should be lightened by the appointment of more juvenile court judges. These steps would ensure that every youthful offender in the Province would be accorded every ounce of consideration and individual court attention necessary to try to effect his development as a useful member of society.

Juvenile Courts are limited to hearing only cases of children up to the age of 16. There is a regrettable lack of any special court or procedure for dealing with adolescents between the ages of 16 and 18. Without interference with the present operations of the Juvenile Courts, their powers should be enlarged to include those of an Adolescent Court responsible for disposition of charges against persons 16 to 18 years old. Only by such a special court can adolescents be given the special consideration which is not only in their own best interests, but also, in the best interests of society, for the best time for reformation is youth.

After hearing of all evidence and considering background reports, the disposal of adolescents charged would be acquittal, probation on suspended sentence, or committal.

For all first offenders of the adolescent stage, committal should be to an industrial school. These

young persons should not be required to go to adult reformatories and industrial farms, as is now the case, because terms there (with the sole exception of Brampton) are at least as likely to do them harm as good. They constitute a largely neglected class with distinct problems for which there should be more determined efforts at solution.

Causes and Corrections

Parental Delinquency -- Investigations and the testimony of expert witnesses leave no doubt that a great proportion of juvenile delinquency is due to parental delinquency. This is a cause whose correction cannot be prescribed or imposed to any degree by a government or any other body. Legislation could do little, although such moves as the proposal to have "emotional neglect" recognized in court will undoubtedly have some good effect. What is needed is an awakening of public linterest in the causes of juvenile delinquency, perhaps through a campaign of public education to impress on parents their responsibilities toward their children.

An examination of some of the factors in juvenile and parental delinquency indicates the complexity of the problem.

Depression and War -- It is apparent that home ties experienced added strain during the depression days

which shattered home independence in many cases. When hardships were rampant, efforts to weather these difficulties so frustrated parents that they were financially unable, to a large extent, to discharge the responsibilities of parenthood.

During the war years, both parents from many homes went out to work and home life for their children was unsatisfactory. Children were permitted to run at large with very little, if any, parental supervision. The frequent result was children running the streets, forming themselves into gangs and cliques, and eventually getting into trouble before the courts.

Statistics issued by the Dominion Bureau of Statistics, in 1943 - one of the war years - show there were 10,795 boys and 1,430 girls brought before the courts, or a total of 12,225. There was a slight drop in 1944 - another war year - when 10,274 boys and 1,280 girls were brought before the courts, a total of 11,554. There has been a slight but steady decline from that time until 1952, when only 6,465 boys and 748 girls were brought before the courts -- a total of 7,213. This constituted a reduction of about five-twelfths of juvenile delinquency in the 10-year period from 1943 to 1952 inclusive.

Housing Shortage -- Another contributing factor to delinquency was due to the rapid growth of population,

and the housing shortage; many families were forced to eat, live and sleep in one or a few rooms.

Parental Example -- Parents, in many cases, show an utter lack of respect for law and the law-enforcement officers, particularly in regard to the Highway Traffic Act and the Liquor Control Act. They thereby set an example for the children which can have no other effect but to instill in their minds a like disrespect for law and order, and a resentful attitude toward the law-enforcement officers.

Severed Church Connections -- The Severence of family church connections is a most serious matter. Religious instruction in the family, in the faith which the family professes, is so important that even the slightest deviation from its rigid adherence, is bound to have results detrimental to the younger generation. Spiritual guidance of the young, in their formative years, inculcates in them a respect for the finer things of life, a belief in and devotion to a Divine Being and a respect for earthly law and order, which they will carry with them through life. In the opinion of the Committee, strong church connections can be the greatest of all tendencies countering delinquency at every level of society.

Broken Homes -- In many cases, women who have been widowed and draw Mothers' Allowance, are not only

permitted, but in some cases forced, to take part-time employment, which takes them away for a part of the time that should be devoted to care of their family.

A startling reflection of broken homes is the fact that welfare relief of various kinds is paid on behalf of homes broken by incarceration of a parent to the total of close to one-quarter million dollars. Direct relief costs paid by the municipalities is in the neighbourhood of \$200,000 annually while the Mothers' Allowances Branch of the Department of Public Welfare pays out another \$40,000.

Deserted Wives -- This problem is most serious and has a decided effect on the fullness of home life, and consequently on the behaviour of children. At a recent session of the Legislature, an amendment to the Act was passed whereby the services of the Ontario Provincial Police were made available in an endeavour to locate deserting husbands of women who were drawing a Mothers' Allowance following the desertion.

The Committee feels this amendment does not go far enough. It provides, as the law stands now, that the only duty of the Provincial Police is to locate the husband; and when a husband is located, a notice is sent to the Department of Welfare, which in turn notifies the deserted wife that her husband has been located. In consequence, her allowance is discontinued.

No provision was made for the return of the husband, nor for any action to compel him by force of law to contribute to the support of his deserted wife. This is an omission in the law which should be rectified. In cases where a deserting husband neglects or refuses to contribute to his wife and family's support, authority should be granted for the erring husband to be returned to the place from whence he came, or by reciprocal Provincial legislation be tried where located, whereby proper action could be taken to compel him to live up to his responsibilities. In the interval, Mothers' Allowance to the mother should continue to be paid.

There is a somewhat similar situation created in connection with deserted husbands, where the wives have deserted their families, compelling the husband to provide for his family as best he can, very often with limited means. If he is not financially able to provide the proper care for his children, this becomes a potent cause of juvenile delinquency.

From whatever cause, a home that is broken deprives children of the association of one parent or the other at a time in their lives when the attention of both parents is greatly needed. It is glaringly apparent that the lack of parental supervision, even by one parent, paves the way for the child or children getting away from the proper home environment, and getting on to the path

which very easily could lead to juvenile delinquency.

Educational Deficiencies -- It would appear that many primary school pupils are unable to assimilate the heavily academic courses, and might very well be successful in working at some trade for which they might better be suited. The theory has been advanced -- and the Committee agrees -- that such pupils would take a keener interest in trades where they feel there is opportunity for advancement, than they would in being forced to continue with an academic course, in connection with which they could show no interest, and in which they could see no future.

A school syllabus which makes provision for children 12 to 16 years of age, during their formative period of life in giving them an opportunity to elect as between academic instruction and vocational and industrial guidance, thereby making it more likely that the pupil's interest in education will be held. The result would be a decrease in delinquency.

Pinball Machines -- These machines encourage the gambling instincts, with all their attendant evils, among adolescents and juveniles. They provide too easy a form of what might loosely be called "escape recreation," and all too often are placed in such positions that questionable associations are encouraged.



For these and other reasons governmental control should determine the type of service to be offered for sale through all coin vending machines, and the articles which may be purchased. "Games" might very well be eliminated altogether.

Media of Communication

Publications -- Many "comic books" and other publications on sale today are not conducive to the proper training of the younger generation. Too often they glorify crime, and sex, and display disrespect for law and order, and impart a totally erroneous impression of the attitude of the present-day law enforcement officers.

These publications should be closely scrutinized by the proper authorities, with a view to an increased number of prosecutions for flagrant violations of the present laws governing their sale and publication.

Serious consideration should be given to a more effective program for making books easily available which will not have the evil effects of many of those now published. This might be done through the co-operation of public libraries, and education authorities.

Radio and Television -- Many programs on radio and television today are based on either real or fictional crimes, many of a serious nature. It is doubtful if some of these programs even have entertainment value for adults,

and they certainly are an obstacle to the building of good citizenship in children. The broadcasting and television authorities and sponsors should live up to their responsibilities to the public by eliminating certain of these programs which deal with crime, sex, and so forth, substituting therefor programs which will more nearly appeal to the better tastes of the younger element.

Motion Pictures -- The Province should direct the Board of Motion Picture Censors to exercise a much more rigid censorship over motion pictures shown in this Province. Pictures depicting the same objectionable features to which reference has been made in connection with crime comics, radio and television, have been passed by the Ontario Board of Censors. Their effect on young people is anything but beneficial.

Classification of movies as "adult entertainment" and "restricted entertainment" (no person under 18 allowed) tend to arouse curiosity in the minds of both juveniles and adults. Thus, in too many cases, the intended purpose of such classification is not accomplished and the net result is a subtle form of advertising.

Ontario Training Schools

(a) General Philosophy

The Ontario Training School should be the fundamental buttress of the reformatory program. The schools should seek a happier ending to the familiar tale of a young boy frequenting the wrong places, striking up questionable acquaintances, daring to do small unlawful acts which gradually grow into greater offences, and finally graduating to adult criminalhood.

If this young individual's development is arrested at the earliest stage possible, if he is given the best of guidance and attention every young boy needs, and if he is induced to develop a proper appreciation of what is right and what is wrong, then he can be rescued from a potential life of crime. But if he is buffeted about, either by indifferent, hard-hearted law enforcement officials, or by well-meaning but totally misguided theorists, the inevitable result will be to turn him against society and all that is right.

The task of taking youthful offenders out of society for a period and then putting them back into normal life has complex implications. The individuals concerned are undergoing or about to undergo, some of the most fundamental and basic physical

and psychological changes in life. Disruption of those processes, extreme frustration, neglect or offence of any type is liable to have a most decided effect upon the course of that individual's life. Extreme care must be taken in choosing associates for any boy or girl between the ages of eight and eighteen. Even more care must be exercised in the case of those who tend to maladjustment of any sort, such as those who are sent to Ontario Training Schools.

This Province has, we believe, made some progressive and commendable steps with respect to the incarceration and treatment of youthful offenders. Officials chosen to carry out the plan in the institutions have been good, conscientious and anxious to the extreme to salvage, correct and improve their charges. They have been given the utmost co-operation by the Department from the Minister down. The plan seems in the main, excellent. But unfortunately we have no proof.

Reference has been made in Chapter II(B) to the extreme inadequacy of statistics in the Department, particularly with reference to follow-up and after-care information. Without statistical data, and the keeping of records, it is impossible to know whether or not the programs in Ontario Training Schools

are successful. There are no reliable follow-up figures beyond the age of 18. Officials have no real indication whether their O.T.S. "graduates" are successes in good citizenship or in crime. The claim sometimes made that juveniles commonly graduate from training schools to adult crime is without basis, but at the same time, there is no basis on which to positively contradict it.

The Committee witnessed juveniles in training schools smoking cigarettes issued by the Department. This cannot possibly be tolerated and the Committee recommends that this practice be forthwith discontinued.

Another questionable practice concerns some of the recreational liberties permitted. At some training schools, the juveniles enjoy the privilege of watching television programs in their spare time, on sets which they have been allowed to purchase themselves from their combined summer earnings. Parents of normal children well might ask why these juveniles, in such formative years, should be permitted to spend their non-working hours in such a non-constructive occupation as watching television, thereby developing a spirit of laziness and a taste for the type of entertainment many normal families cannot afford.

There can be little justification in the

public mind for training schools where inmates are maintained -- as many seem to be -- at a standard of living far superior to that of many normal homes.

(b) Costs

The practice of allowing inmates of training schools ten-day "vacations" at Christmas, at a cost of \$2,648 one season, should be reviewed. Firstly, such vacations only add to the general impression that training schools are simply provincial boarding schools for "difficult" school children who get a private education at the taxpayers' expense.

The Committee was told that these "vacations" play a very important part in the rehabilitation of these juveniles. If such is the case, the contention is supported that many juveniles might be released on placement much earlier than is now the case. Otherwise, no special exception -- particularly of such duration -- should be made of the Christmas period. Either "vacations" from training school are a good thing and they should be extended, or, alternatively, they should be done away with.

This is not a place where the Department should compromise or seek anything in the way of a "middle-of-the-road" policy.

That training schools should cost more than \$875,000 to operate for one year for the rehabilitation of five to six hundred youngsters seems to be inordinately expensive when compared with the cost of the adult institutions. Such an expenditure could better be assessed if the degree of success of the system were known. As pointed out above, this is not known.

The difference in per diem costs at each institution poses another question. Without accounting for a proper share of the Department's main office costs, Bowmanville maintains its inmates for some \$4.85 daily; Cobourg for only \$3.44, while the girls' training school at Galt costs \$5.22 to operate. (All figures are gross).

The need for some economies is evident. A close survey should be made of every aspect of their operating costs and revisions made accordingly.

(c) Releases

At present, there is attached to the training schools, an Advisory Board, composed of public-spirited citizens who meet to decide on the discharge and placement -- in effect here, parole -- of juveniles from the training schools. Members of the Board base their judgment solely on reports from the superintendents of the schools and conduct

no personal interviews with the applicants for discharge and placement.

The Committee commends the public spirit of those citizens who have volunteered their time and interest to this work. However, this method of making decisions, so important to the children's future, must be condemned as illogical and impractical.

The Advisory Board should be abolished. Placements, transfers and releases should be under the supervision of a Parole Board, as recommended in Chapter VII.

It has been argued that the length of time that juvenile offenders are allowed to remain in training school is a contributing cause to the continuance of these people in criminal pursuits. Their period of incarceration at times extends beyond the period when the offender might best be released on psychological grounds. There comes a time in many cases, when the youngster attains a feeling of remorse and repentance, and a determination to "go straight" henceforth. If that psychological moment could be determined by those in charge of the institution with authority to recommend his release, in the likelihood that the recommendation would be acted upon promptly, the Committee feels that the one released might never

offend against the law again.

Those in charge of the training schools should be required to report all promising cases to the Parole Board, setting forth the reasons for recommending their release. Very thorough discussion should follow and decisions arrived at which, in the judgment of the Parole Board, will have the most beneficial effect on the children.

Analysis

In recent years, many parents have accepted the theories of certain psychiatrists and psychologists and sometimes have extended the theories beyond their intended restrictions. Concepts such as "child inhibitions" and "child self-expression" have led to a confusion through which some parents have avoided any effective methods of discipline on young children. Such children soon realize that all punishment is taboo, and very soon begin to take full advantage of that knowledge. The Committee believes that if some of the earlier forms of punishment, including corporal punishment administered with discretion, could be restored to the homes, the children would soon awaken to the fact that certain acts were sure to bring punishment. This knowledge would be an effective deterrent.

The idea of holding parents responsible for the depredations of their children has considerable merit. Under the present status of the law, however, it is not possible. The Committee believes the possibility of changing the law should be studied. If the parents could be held responsible for acts of vandalism by their children, wherever committed, the parents would soon take steps to restrain them.

There was a very wide divergence of opinion among persons who appeared before the Committee regarding corporal punishment of children. As pointed out in Chapter XI, many persons have very strong views on corporal punishment, one way or the other.

After considering all the evidence submitted, the Committee is of the opinion that corporal punishment judiciously administered and not inflicted in a spirit of revenge or anger, can have a very salutary effect, and should lead to the time when the necessity for further such punishment would be eliminated. It can be a strong and effective deterrent in the curbing of juvenile delinquency.

Psychological or psychiatric considerations of the problem of juvenile delinquency are of little avail. The real cure lies in the home. If the most

desirable type of home life could be restored, with its family gatherings, its religious teaching and proper parental examples, then, within the foreseeable future there would be a very marked decline in the incidence of juvenile delinquency.

Recommendations

1. That overcrowding and other hinderances to the efficient operation of Juvenile Courts be alleviated in order to ensure thorough consideration of all cases.

2. That Adolescent Courts be established to deal with cases involving persons between the ages of 16 and 18 so that adolescents would be accorded the special consideration and treatment that are in the best interest of society.

3. That legislation in regard to husbands who desert their wives be so amended as to afford maximum protection to the families involved.

4. That the Ontario Board of Motion Picture Censors maintain more stringent control over movies which would be likely to have a detrimental effect on children.

5. That the Department of Reform Institutions stop forthwith the practice of issuing tobacco to juveniles in Ontario Training Schools.

6. That a careful survey be made of costs at the Ontario Training Schools, with particular regard to disparities among the three schools, and that adjustments be made where necessary to place them on an equitable and reasonable basis.

7. That juveniles be released from the Training Schools at the optimum time for reformation, even if that time is adjudged for individual cases to be much shorter than the 10 to 12 month period which now is the average, and that release and placement be decided upon by the re-constituted Ontario Board of Parole.

8. That consideration be given to making parents responsible for acts of vandalism by their children.

9. That an Industrial School be established to receive and train convicted adolescents between the ages of 16 and 18, and those juveniles presently housed at the Ontario Training School, Guelph.

CHAPTER XI

CORPORAL PUNISHMENT

During the Committee's investigation, no one subject has engendered more conflict of opinion among witnesses than that of corporal punishment. Personal prejudice fermented strong opinions by many witnesses, including both those who opposed corporal punishment and those who favoured it. With a number of exceptions, the evidence on this subject was strong on emotion and weak on the validity that comes from experience and impassive study. The Committee spent a great deal of time weighing the evidence and studying the practices in other jurisdictions.

Corporal punishment should be regarded as one facet of discipline, to be considered along with such other disciplinary measures as detention and deprivation of privileges. In this Report it is so regarded in its inclusion in the sections dealing with juveniles and institutional inmates. It deserves special mention here in a general way, however, because of its controversial nature.

The extremes of opinion concerning this topic could be typified by the well-intentioned club member who has heard a few speeches and read a few books and has become enthusiastically opposed to the use of corporal punishment in any way, shape or form, and by the rigid disciplinarian who believes in ruling with an iron hand with no regard to the feeling of the subject

of the punishment, or the long-range effects. Such opinions must be discarded in favour of those expressed by persons with first-hand knowledge, combined with careful judgment.

In recent years, corporal punishment has been discounted to a considerable degree, largely because of the beliefs of certain psychologists and psychiatrists. The theories they expressed were to the effect that corporal punishment was not as effective as other disciplinary measures, especially in regard to juveniles. Their claim was that its main benefit was not for the child but for the adult, for whom its use provided an emotional release. It should be pointed out that not all psychiatrists and psychologists share these theories. The problem would be much easier to resolve if they did agree, one way or the other.

On the other hand, there is a belief held by many persons with considerable experience that infliction of corporal punishment "teaches a lesson", and instills fear that acts as a deterrent to further misdemeanors. This might be called the traditional view on the subject.

In a study of the opposing viewpoints, several questions inevitably arise. These questions can be consolidated into three:

Is punishment, as such, valuable?

What is the effect of corporal punishment?

What is the effect of alternative measures?

In the Committee's judgment, on the basis of the evidence presented, punishment should be

incidental to reformation. But this does not mean that punishment should be discarded altogether. It is a valuable deterrent that must be retained, at least to a degree, in dealing with any persons guilty of offences or misdemeanors. Its effect on prospective delinquents is considerable. Punishment undoubtedly will always retain a niche in society's thinking and actions in regard to delinquent individuals and, provided it never again over-shadows the general aims of reformation, this is as it should be.

The effect of corporal punishment varies according to the individual circumstances. It can either be detrimental to the individual upon whom it is inflicted, or have no effect whatever except for momentary pain, or produce a beneficial result. It almost certainly will arouse embitterment and resentment if inflicted unfairly and with malice, but beyond that it is impossible to generalize, on the cases for which the results would be detrimental. The effect is likely to be completely neutral on a great many of the persons, particularly adults, for whom corporal punishment is most likely to be ordered because of the violent nature of the offence. Many of the persons who commit such offences are psychopaths. They are, in a peculiar way, sick, and no matter how justified physical punishment may be, it will not deter them in the least from engaging in further brutality when they get the chance. Those on whom the effect is likely to be good, include young hoodlums who commit crimes as a method of showing

off and are accustomed to "getting away with it", they are the type who can be deterred only by such punishment, since this punishment is the only authority they recognize.

It can be seen that the only general statement that apparently has complete validity is that corporal punishment should, under no circumstances, be imposed unfairly and in a spirit of vindictiveness. If it is to have the desired effect, it must be administered judiciously and dispassionately. Further comments fall into five distinct categories - for juveniles, in connection with the home, the courts and training schools; and for adults, the courts and the institutions.

A cardinal principle, as with its use as a form of discipline at any level, is that it should be used rarely and only as a last resort. If used indiscriminately, there is no doubt that it loses its deterrent effect and, in many cases, harms a child's development. All discipline must be prompt and firm, but the method used must depend on individual circumstances. The popular belief that a parent should reason with his child when he has done wrong is valid only as long as it is not carried to extremes.

The question of whether corporal punishment should be administered as a court sentence on juveniles is more complex. It is pointed out that a large proportion of the youngsters who appear in Juvenile Court have experienced corporal punishment - often in

excessive doses in their homes without beneficial results, and to order more of the same treatment is futile. The consensus of those witnesses before the Committee who had direct experience with Juvenile Courts was that these courts should have the power to order corporal punishment in exceptional cases only. With this view the Committee is in full accord, again with the qualification that extreme discretion be used in determining when corporal punishment is justifiable and only after medical examination.

In Training Schools for juveniles the situation is much the same as for Juvenile Courts. At present, the superintendents of Training Schools have the authority to impose corporal punishment but rarely, if ever, do so. Because of the factors listed above, and the value as a deterrent of the knowledge that corporal punishment can be imposed, if necessary, the existing policy in Training Schools should continue.

In connection with adults the question of corporal punishment is less contentious. It can be imposed by the courts for certain offences, and to continue this policy would be likely to do some good as a deterrent and punitive measure and would do no harm. In institutions, the power to administer corporal punishment on the part of the superintendent is a most valuable deterrent against disorderly behaviour. It is administered with commendable care and good judgment by the authority of the superintendents, the average number of corporal punishments over the past five years being

slightly over 200 - and a total of only a fraction of one per cent of the inmate population, only administered after a medical examination and under medical supervision. The Committee was convinced by the evidence of both officials and inmates that a major contributing factor to the Guelph Reformatory riot of 1952, was the inmates knowledge that the superintendent had been deprived of his power to order corporal punishment without reference to the head office of the Department of Reform Institutions. This order was later rescinded.

The means of administering corporal punishment on adults are the lash and the strap. There is a curious misconception in the minds of the general public, and, apparently, of many magistrates in the effectiveness of the instruments. The lash is considered to be more severe than the strap, and lashes may be ordered only by the court, not by institutional superintendents. The Committee examined both and found that the lash consisted of nine medium-thick strands of cord attached to a wooden handle, while the strap was a piece of leather somewhat thicker and longer than the straps ordinarily used in schoolrooms. It was found that the lash merely produces a sting, while the strap hurt. Since corporal punishment can have little value unless it hurts, the lash should be abandoned altogether as a means of punishment and the strap used in all cases, both in connection with the courts and in institutions.

CHAPTER XII

THE COURTS

The Committee has no wish to interfere in any way with the jurisdiction of the courts. But it is indisputable that the courts' disposition of cases has a far-reaching effect on the possibility of reformation. On the decision of the court depends how long an offender will be in custody and, under the existing system, to which institution he will be sent. The procedures and decision of the court have considerable influence on whether an offender feels embitterment or respect toward the administration of justice and toward society generally. In some centres, despite the fairness of the magistrates and judges, the offender's impression is almost certain to be unfavourable. These are the centres--such as Toronto--where court facilities are dingy and overcrowded, and magistrates are usually too rushed to accord the time and consideration they would like to individual cases.

By the type and length of sentence he imposes, a magistrate virtually decides to which institution the offender shall go.

It is the Department of Reform Institutions which allocates offenders to specific institutions, but the Department does so on a fairly consistent basis of age, record and length of sentence. Under the existing system of classification, an offender under the age of 21 or a first offender of any age is most likely to go to Guelph Reformatory; a repeater over 21 sentenced to a term of three months to a year is likely to go to the institution at either Mimico, Burwash, Burtch, Monteith or Rideau, whichever is closest to the point of sentencing; and a repeater over 21 with a longer sentence is likely to go to Burwash. Thus a magistrate or judge who is familiar with the Department's classification system knows where an offender will probably go if he receives a certain type of sentence, and, if he so desires, he often can tailor the sentence to ensure that the offender will go to the place that, in his opinion, would be most suitable.

Since magistrates and judges have the initial authority, indirectly, of deciding where each inmate shall be sent, it would seem logical that they would wish to make themselves familiar with the characteristics and distinctions of the various institutions. In the opinion of the Committee, it is desirable that all magistrates avail themselves of the opportunity of visiting as many Ontario custodial institutions as possible.

Inequality of Sentences

One of the most common complaints of inmates interviewed by the Committee was that their sentences were unfair in contrast with the sentences of other inmates. A similar complaint was voiced by other witnesses.

On investigation the Committee found that these complaints were justified in some degree. There were instances of two persons guilty of the same offence, with a similar record and general background, being given widely varying sentences by different magistrates. Such instances are factors in low inmate morale and a disrespect for the courts that is liable to lead to further crime. Gross and illogical inequalities in sentences should be eliminated.

To do so will be a difficult problem, however. It is essential to true justice that the courts have some leeway in sentencing so that they can take into account the character of the individual and the circumstances of the crime, as well as the crime itself. Since assessment of all these factors is a matter of individual judgment by the magistrate or judge, it is inevitable that there will be slight inequalities in the sentences imposed by different courts.

Elimination of gross inequalities is in the hands of the magistrates themselves. The Committee

suggests that the magistrates hold periodic conferences and strive to form sentencing policies that are as uniform as is practicable. Such conferences could accomplish a great deal of good.

Instalment Payment of Fines

Many witnesses have suggested to the Committee that instalment payment of fines be instituted in Ontario. The logic behind such suggestions is valid. There should be no instances of persons without funds going to jail simply because they cannot raise the amount of an alternative fine, while those with funds can pay the fine without hardship and go free.

The Committee believes there is no need to institute a system of instalment payments. It already is provided for, in effect. It is common practice now for magistrates to allow time for the payment of fines. Several remands often are given to allow the offender time to raise the money.

To make more effective the existing provision for deferred payment of fines, the Committee suggests, however, that the courts should inform all offenders that they may have the opportunity of deferred payment. At present it appears that some convicted persons are not told of the opportunity and therefore do not take advantage of it.

Night and Special Courts

Haste in court actions, made necessary by heavy dockets, is a procedure that detracts from respect for justice and probably contributes to recidivism in some cases. The Committee believes every effort should be made to ease the burden from the courts so that the desirable amount of time and consideration could be spent on each individual case.

Two means of doing this would be night courts and special courts.

The Committee was pleased to note, after its members discussed the matter in public meetings, that Toronto decided last fall to institute a special court for those charged with drunkenness and related offences. This type of court should be standard whenever such charges are numerous enough to encroach upon the time that is available for consideration of the normal docket of cases.

Night courts would be particularly desirable, in the large cities particularly, in making it possible for those charged with minor traffic offences to defend themselves. At present they find it more practical and economical to pay a small fine--whether they were guilty or innocent of the alleged infraction--rather than taking a half-day or day off work to go to court and defend themselves. It is obvious that such a situation militates against the maximum public appreciation of the courts and respect for justice.

CHAPTER XIII.

SUMMARY

The terms of reference delegated to the Select Committee on Reform Institutions provided scope and opportunity for unrestricted enquiry, and imposed tremendous obligations. These have been fully assumed and discharged. A great responsibility was involved to ascertain whether adequate custodial security is being provided to safeguard society, with properly humane treatment of persons who have offended against the law; but in keeping with present day advanced ideologies of penal reform.

Custodial care and reformative policies are constant and complex social problems. Through the years, under successive governments, by initiative, trial and experience, highly creditable advances have been made. It is indeed a far cry from the days of hard labor on bread and water. The answer and solution to the problems of penal reform will never be complete. Constant advances and adoption of modern methods, will from time to time tend to improve the operation of our institutions.

The mental attitude of the majority of the officials and staff of the Department is,-- and rightly so,-- that prisoners are human beings, many of whom have grown up during the days of the depression, when relief was the only means of maintenance for many of them. They lacked the benefit of home life and an opportunity to

live under normal conditions of self-maintenance. Many other inmates are the products of broken homes. As a result of unprecedented prosperity both parents have been attracted to lucrative fields of employment. Parents who dispose of their earnings for various means of alleged pleasure, instead of building up the home life, and maintaining the family circle in their dwellings; wide circulation of subversive crime and sex literature; displays in television and motion pictures, depicting attacks on police, all have made inroads upon law and order and have contributed to an increasing number of inmates in our institutions.

Persons while incarcerated are isolated from the normal ways of life, yet they are still members of the human family. This is a truth of transcendent importance.

In the study of matters before the Committee, discussions and decisions on every item, have been entirely free at all times from partisan bias or consideration. The problem of Reform Institutions has been considered of major importance by the Committee because it chiefly affects the lives of human beings, not only the incarcerated, but their families, and society as a whole. The price of crime is terrific. The average daily population in the jails of the province is 1665, and of the training schools, reformatories and industrial farms, 3293, totalling approximately 5,000 daily.

The Province, counties and cities provide annually nearly \$10,000,000 gross (\$7,000,000 net) for custodial care in institutions, plus expenditures for

direct relief and Mothers' Allowances to families of incarcerated persons. The cost of operating jails by the various cities and counties varies greatly but averages \$3.39 per inmate per day. In the training schools for boys, the average daily cost per person is about \$4.00, in the training school for girls about \$5.00, and in reformatories, nearly \$4.00 daily.

Wisdom and care in the expenditure of this vast sum of money is of great importance to the people of Ontario. The Committee has sought to find and report the answer to the question : To what extent is the desired objective of reformation achieved ?

Varying costs, as shown in the Appendices of this Report, reveal variations for similar operations in comparative institutions. This condition requires rigid budgetary control.

The Department of Reform Institutions is basically not a revenue-producing department. While it does return, in farm produce and manufactured goods for use only in provincial institutions, something over \$2,000,000 per year, and additional deductions should be made for such returns as perquisite payments, the net cost to the taxpayers of Ontario still is nearly \$7,000,000. The Department is concerned with the treatment of both reformable and non-reformable persons including younger persons, who may be influenced by contamination with unreformable recidivists. Human values cannot be measured in dollar value. One of the first recommendations concerns the top-level of administration,

in connection with general reformative policies.

Administrative Personnel.

The Committee found among the personnel, many of excellent character, who are well-qualified for administrative duties. Examples of these include Institutional Superintendents and Governors. The Deputy Minister revealed intimate knowledge of all phases of administration and custodial care in the Department. His many years of experience as a custodial officer, added to his other qualities, ably fit him for the responsibility of the office. Throughout the investigation, the Committee has been most favorably impressed by his knowledge of the Department, his loyalty to his Minister, and to the Department.

Guards.

The turnover is too great, having regard for morale and security. Salary rates are an important factor. A high I.Q., educational qualifications, and in-service training for guards are indispensable, as well as an improved system of promotion through merit and examination.

Counsellors

The counselling service is understaffed and, in over-all effect, feeble. It is less than half-fledged as is rehabilitation.

Rehabilitation and Parole

Both these services are right in principle, yet are in very incomplete stages of operation. There is no syllabus, and no system of training for parole and rehabilitation officers. They are insufficient in number for the numerical strength of the inmate population they now attempt to serve. Several inmates interviewed by the committee, at time of discharge, had not seen a rehabilitation officer. Rehabilitation is largely a paper organization. There are definitely two types of inmates, reformable and non-reformable. Those most likely to be reformable -- the first offenders -- constitute only 35% of all committals; those most likely to be non-reformable -- the repeaters -- 65%. In reformatories the ratio is 20% to 80%. Efforts at rehabilitation for much of the 80% are largely wasted time, effort and money, since a large proportion of them do not welcome attempts at reformation and occupy the time which should be devoted in greater measure to the reformables.

We recommend that the rehabilitation efforts towards the 20% should be intensified. For those of the 80% who, upon discharge, have no homes to which to go, temporary lodging and food should be supplied through some after-care organization. The giving of cash, in some cases, causes a return to dissipation. The money now given to them upon discharge, (up to \$20 each) instead should be deposited with a Rehabilitation officer to be distributed as need requires.

Parole Board.

The Parole Board is composed of a number of splendid persons in their own lines of endeavour. The Parole Board has only one woman member, another should be added. The Board lacks leadership and direction, and assumes unwarranted authority in refusing parole because of anything other than the merits of the case at hand. When the sentencing magistrate or judge imposes a definite and indefinite sentence, the offender is automatically eligible for parole. A ruling by the Parole Board that certain cases, notwithstanding the indefinite sentence would not be considered by them for parole, smacks of revenge. Parole is a form of faith in fellow man, - a second chance. Refusal by the Board registers doubt. Doubt registers a lack of faith, and a belief that evil is strong and must prevail. Faith should be placed in the unfailing supremacy of right. Re-organization of the Board and the defining of specific duties is an immediate necessity, as is establishment of a considered and consistent policy. There should also be provision for appeals from the Board's decisions, to the Commission on Corrections.

After-Care.

After-care is a most important feature in any policy of reformation. Many persons in Northern Ontario are discharged penniless or nearly penniless from jails -- even though some are found innocent --

as much as 350 miles from the place of arrest. (See Appendix E). There is no legal provision for jails to supply funds for these persons. It is to the credit of the Ontario Provincial Police that its members co-operate by driving many along the highways towards their homes, but a number of persons come from areas which are not accessible by road. For the innocent or the guilty, penniless discharge imposes hardships and invites recidivism.

After-care and rehabilitation are definitely the responsibilities of the Department of Reform Institutions and should not be delegated to any subsidized private agency. Private agencies have a creditably record, and their interest should be encouraged and their assistance welcomed, in co-operation with the efforts of the Department.

Physical Care.

There should be a medical examination at the earliest possible moment after arrest whenever there is the least sign of illness or accident.

No mental cases should be housed in jails.

Spiritual Care.

The Committee has been advised by the Minister and Deputy Minister that an increased and improved chaplaincy service is in course of organization. This is very greatly needed. The Chaplaincy service at present is inadequate and involves a basis of remuneration which

should be improved.

Disciplinary Control.

Corporal punishment is not the only disciplinary method advocated, nor presently in use, but the right to administer it under medical supervision is imperative and conducive to preserving morale.

Recidivists.

The numbers of former inmates of Federal and Provincial institutions who return to Provincial custody is deplorable. The name "Reform Institution" is to some extent a misnomer. The mingling of recidivists and first offenders by lodging them together, and having them work together, and engage in recreational periods together, creates a perilous contamination.

Sex Deviates and Perverts.

This is a great problem, and it is recommended that the co-operation of doctors and scientists be invited to join in an endeavour to find the answers, particularly in regard to the perverts.

Segregation

In jails, segregation is practically non-existent. Reformatories are better only to a degree. They lack sufficient accommodation to permit proper segregation of the inmates.

Training Schools.

These schools constitute a costly operation under somewhat luxurious conditions. The time the inmates are held, in the opinion of the Committee, is too long, often producing "institutionalized" young persons. They would be less likely to become recidivists if they were in a home environment.

Custodial Institutions.

Although it has been estimated that the ratio of persons incarcerated to population is 1 to 175 in Ontario, compared with 1 to 1259 in England, it must be borne in mind that many actions that are offences in Ontario under the Liquor Control Act, and the Highway Traffic Act, are not offences in England. However, if our population continues to increase for another decade, at the same rate as in the past, and the present system of dealing with offenders continues, up to 50 percent more custodial accomodation will be required. The alternative is less inmates. By what means? The Committee believes the means must include a quickening of individual responsibility in every citizen to assume his or her duties to the church of his or her faith; increased responsibility to the state; the restoration of the family circle and the strengthening of home life; teaching by parental example, respect for law and order; establishment of an Adolescent Court to deal with those aged 16 to 18, the group between juveniles and adults;

and establishment of an industrial school to provide corrective measures.

Probation.

Probation based on pre-sentence reports, is highly recommended for selected offenders, particularly first offenders. Such a policy offers many benefits. It prevents the stigma of incarceration and the association with undesirable persons in institutions. The probationers can retain their employment and remain self-sustaining members of their families and their communities. Probation costs about 44 cents per person per day, as against the \$3.77 per day net costs in an institution.

Reception Diagnostic Disposal Centre.

To a limited extent, this service has been in operation for some time at Guelph. It should be expanded, at Guelph or elsewhere, to enable it to handle all cases of first offenders from 16 to 25 years of age, diagnosing each case in an effort to determine the cause, and decide upon the most effective reformatory treatment.

Commission of Corrections.

A semi-judicial body should be created to administer, co-ordinate and direct the services of after-care counselling, parole, probation, and the reception diagnostic disposal centre.

Department of Reform Institutions.

For the maximum success of a reformatory system there must be an aroused public opinion directed toward crime prevention. Excellent as the services of the Department may be, they are not enough. There also must be increased public interest and understanding in assimilating into free society, those who have erred, and who want to become good law-abiding citizens. Many are helpless, but none are hopeless.

With the cooperation of the Minister and the staff of the Department of Reform Institutions, the Committee has striven to ascertain the best solutions to the problems of reformation and custody. The past is only a means to make a better future. The Committee recommends immediate consideration of suggestions in Chapter II (A) of this Report and their presentation as soon as possible to the Minister of Justice. In a conference with the Committee, the Minister of Justice gave assurance that he would study the suggestions and pass them on to the Federal Commission now studying penal reform. The suggestions, aimed at improvement in matters of which the Federal Government has jurisdiction to include the following.

1. Reconsideration of the existing division of responsibility between the Federal and Provincial Governments in regard to those offenders sent to penitentiaries and those sent to reformatories. The present division calls for those sentenced to terms of two years or longer to go to penitentiary, those sentenced to less than two years

to Provincial Institutions. This provision has not been amended since 1859 and it is unrealistic in many ways.

2. Adjustment of the situation whereby those serving consecutive sentences, totalling any number of years,-- perhaps six, eight or ten -- still go to Provincial institutions if the term of each sentence is less than two years.

3. Amendments to the Criminal Code to make the provisions for habitual criminals more explicit and more effective.

4. An amendment to avoid discharge at termination of sentences immediately prior to a week-end or a public holiday.

5. Provision of longer indeterminate sentences to make it possible to deal more adequately with such cases as habitual drunkards, and to make it possible for inmates to complete trade-training courses.

6. Re-definitions regarding mental cases. The existing laws were framed 80 years ago and are in need of revision.

7. Provision that inmates in all custodial institutions-- including jails -- should have the opportunity, on an equal basis, of obtaining time off for good behaviour.

8. Provision to expunge the records of one-time offenders who appear to have definitely reformed after a period of time, perhaps five years, so that they would have greater freedom in obtaining employment and in crossing the border and would not continue to be stigmatized.

9. Statutory authority for the Province, if it so desires, to establish a central place of execution in an existing institution.

10. Statutory authority for the Ontario Board of Parole, to have jurisdiction over definite as well as indefinite sentences.

11. Provision in the Criminal Code for prosecution of those who engage in riotous conduct in institutions.

12. Provision of the severest possible penalties for narcotics peddlers.

13. Establishment of centres for persons awaiting deportation so that they would not continue to be housed in jails, particularly the Don Jail in Toronto.

Confidence is merited in the present Minister of Reform Institutions, and credit to previous Ministers, as well as to the Governments which have been responsible for the finances and administration of Ontario's custodial institutions down through the years. All have been deeply interested in proper operation of the institutions. The Committee found no evidence of political domination or motivation.

The Minister of the Department should be commended for the fact that inmates of Reformatories, Industrial Farms and Training Schools, which come directly under his authority, are well cared-for physically with provision for medical examinations, hospitalization, dental

care and chest X-rays; have facilities for academic and vocational education and for recreation; are well fed; and in some places, have the use of libraries and radios.

The Committee found no evidence of inhuman treatment, brutalities, persecutions or "black holes" for punishment.

A seasoned recidivist at Burwash, with a record of 37 convictions, gave the Committee this considered appraisal of present-day custodial treatment in contrast with the methods of the past: " You are bending over backwards in kindness and comforts here today. No one fears coming here."

There are two schools of thought in regard to custodial treatment. One favors punitive treatment and the other completely open institutions with no punishment. One group stresses rigid, excessively stern treatment of prisoners as a matter of course; the other - whose advocates include some extremely zealous reformers with ivory-tower social theories-- would pamper the inmates and turn reform institutions into rest homes.

Neither of these extremes is right. A reasonable measure of both, tempered by experience and common sense can produce excellent results.

The Committee was particularly impressed with two projects in the Ontario system that have attracted wide interest and praise -- the Ontario Training School, Brampton, and the Alex G. Brown Clinic for Alcoholics, Mimico. Both are portents for national good.

The Brampton institution was started as a pilot experiment and the results reflect considerable credit on those who created it. Providing an advanced programme of reformation, Brampton is a noble achievement. The Committee recommends this type of programme be extended for both men and women.

The Alex G. Brown Memorial Clinic has a highly creditable record of success in treatment of alcoholics. This excellent work of reclamation of human resources should be encouraged and enlarged for the benefit of both men and women.

While Ontario cities and counties have a number of antiquated pre-Confederation jails, the Province has district jails which are outstanding in many ways.

The Industrial farm type of institution is excellent for both custodial and reformatory purposes. Industrial farms have proved, in practice, to be excellent for both custodial and reformatory purposes. Their establishment and extension was sound leadership in the right direction. But at least four more farms are needed for this purpose. Furthermore, Burwash Industrial Farm should be re-named "Burwash Provincial Prison" and be designated to house only recidivists who are considered non-reformable. At this and other institutions, there should be an abundance of hard work for inmates and a definite standard set for the number of hours to be worked. It should be pointed out, too, that some industrial farms have only improvised buildings, temporary frame structures that are entirely inadequate for their present purpose.

CHAPTER XIV

RECOMMENDATIONS

Following are the recommendations of the Committee as set forth in this report:

1. That the Province should give every encouragement possible to establishment of a chair of penology at an Ontario University.
2. That Chapter II (A) of this Report be forwarded to the Honourable, the Minister of Justice, with a request that the suggestions made therein be given early consideration with a view to implementation.

ADMINISTRATION AND PERSONNEL
Department of Reform Institutions

3. That the chain of command in the Department of Reform Institutions be clarified, especially at the upper levels, and that responsibilities be more clearly defined, to ensure maximum efficiency of operation.
4. That the importance of the position of Psychologist be recognized by a more adequate salary, and adjustment of responsibilities and full consultation regarding future development of Departmental programs.
5. That the position of Farms Administrator be clarified as to responsibilities and powers.
6. That adequate staff and facilities be provided for an expanded statistical division that can supply complete data on all phases of the Department's operations.

7. That the Supervisor of Construction maintain closer liaison with the Department of Public Works and be consulted fully regarding the maximum employment of inmates.

8. That diets and food costs be more closely co-ordinated and supervised through the Dietician and the Doctors at the various institutions.

9. That clothing costs be more closely co-ordinated and supervised from the Department's Head Office.

10. That the Ontario Reformatory, Brampton, be re-named so that in name, as well as function, it is clearly distinguished from other institutions; and that the Industrial Farm, Burwash, be re-named "Burwash Provincial Prison" in keeping with establishment of a policy that it handle only non-reformable recidivists.

11. That necessary changes be made in the system of transporting prisoners to ensure the maximum economy, speed and security.

12. That as much food, clothing and other items as possible be inmate-produced for the purposes of economy and inmate industry.

13. That the opportunity of obtaining days off for good behaviour be extended to all inmates, including those serving short sentences in jails, in the same manner as other custodial institutions.

14. That inspectors be more thorough and objective in inspections of jails and that they recommend all changes that should be made in the interests of security and efficiency of custody and reformation

regardless of any other considerations.

15. That salaries of institutional personnel be raised to a level that will attract a consistently high calibre of employee and will provide incentive for making a career in custodial and reformatory work.

16. That better understanding among institutional personnel of the broad aims and methods of institutions be promoted through:

(a) In-service training for all personnel;

(b) installation of card-indexes in each corridor other than jails, detailing the individual records, histories and backgrounds of each inmate, for the information and guidance of guards;

(c) holding of regular staff conferences to discuss general and specific phases of the institutional program with representatives of all types of personnel involved.

17. That Superintendent and governors, in consultations with higher Departmental officials, establish with more exactness the complement necessary for the best possible operation of each institution.

18. That superintendents and governors be consulted fully concerning all staff changes contemplated at the institutions which they direct or which they are scheduled to direct in the near future.

19. That more psychologists, psychiatrists, and counsellors be added to institutional staffs to guide reformatory programs.

20. That doctors and dentists be hired on a full-time basis wherever possible.

21. That guards be properly compensated for all overtime work.

22. That guards' advance in status and salary by a system that recognizes merit and capability as well as length of service.

23. That employees be suitably recognized for meritorious and faithful service by merit awards and designated by chevrons to be worn on uniforms.

24. That all guards be given instruction in the Staff Training School before assuming regular duties.

25. That refresher and advanced training courses be instituted for experienced personnel.

26. That the Department of Reform Institutions, in co-operation with a housing authority, erect houses on or adjacent to institutional properties in areas where housing is prohibitively expensive and unobtainable; such dwellings to be sold at reasonable prices to institutional personnel on the condition that, should they leave the employ of the institution, the Department or the housing authority may buy back the homes at a fair price for resale to other institutional personnel.

27. That the accounting system of the Department of Reform Institutions be revised to take into account the market value of goods sold.

28. That charges for perquisites be reviewed and revised when necessary to make them at least cover the cost of the items and preferably be close to market value.

INDUSTRIAL FARMS

29. That the hospital property at Fort William be returned to the Department of Reform Institutions as soon as possible for the establishment of an industrial farm.

30. That a detailed survey be made immediately, taking into account the long-range savings through reduced recidivism that could accrue from industrial farm operation, to decide on the advisability of establishing more industrial farms elsewhere in the province.

CUSTODIAL PROPERTIES

31. That closer liaison should be established between the Department of Public Works and the Department of Reform Institutions to ensure that construction and repair projects do not endanger security and morale at custodial institutions, such liaison to include provision for

- (a) Maximum utilization of inmate labour;
- (b) Power to veto by the superintendent or governor of each institution, for good reasons stated confidentially, as to who shall be allowed to work on projects on the property of his institution.

32. That a progressive program be undertaken over the next ten years to make the property acquisitions and the structural changes and additions necessary to implement the recommendations of this Report.

33. That all temporary structures for inmate accommodation be replaced with permanent buildings providing individual cells rather than dormitories.

34. That fire hazards in all custodial institutions be lessened by means of

- (a) installation of gang locks;
- (b) installation of fire alarm boxes connected with the municipal fire department, except where location or local conditions make such a system impossible;
- (c) the holding of periodic night fire drills, or fire drills under simulated night conditions;
- (d) strengthening of liaison between inspectors of the Department of Reform Institutions and local and Provincial fire authorities on all matters concerning fire risks in Institutions.

35. That permanent quarters be provided for the staff training school at the Ontario Reformatory, Guelph, with provision for suitable rooms instead of dormitories to facilitate and encourage study.

36. That chapel facilities be provided at all major institutions, but not at the expense of the second dining room at Ontario Reformatory at Guelph.

37. That the program of providing permanent staff housing at the Industrial Farm, Burwash, be accelerated toward early completion.

38. That reforestation work at the Industrial Farm, Burwash, be extended.

39. That additional arable land be purchased adjacent or close to the existing property at the Industrial Farm, Monteith, for use in greatly extended farm operations and extension of the demonstration function of the farm.

40. That the vacant hangar at the Industrial Farm, Burtch, be utilized in its entirety or in part for a light industry.

41. That additional arable land be purchased adjacent or close to the existing property at the Industrial Farm, Rideau, for extension of farming operations; and that reforestation work on the existing property be accelerated.

42. That the Mimico Annex be removed from the grounds of the Ontario Reformatory, Brampton.

43. That "hostel inmates" be removed from the custody of the Ontario Reformatory, Mimico, such inmates to be housed elsewhere in a place that is better both for them and for the institution.

44. That the Alex G. Brown Memorial Clinic for alcoholics at the Ontario Reformatory, Mimico, be enlarged sufficiently to accommodate all inmate volunteers in the Province who are likely to benefit from the treatment.

45. That the Department of Reform Institutions sell all land at the Ontario Reformatory, Mimico, in excess of the basic space required by the institution for buildings, grounds and shale deposits for the brick industry.

46. That the Department of Reform Institutions sell the existing buildings and land at the Andrew Mercer Reformatory, Toronto, and remove the institution to a new site outside the Greater Toronto Area; and that the new establishment provide a section having sufficient accommodation of the cottage type to house inmates with a high potential for reform, the program for these inmates to be operated in a fashion similar to that at the Ontario Reformatory, Brampton.

47. That the buildings and land at the Ontario Training School for Boys, Cobourg, be sold; and that, to replace the Cobourg institution a new school be built on the grounds of the Ontario Training School for Boys, Bowmanville, as far removed as possible from the existing Bowmanville buildings.

48. That the Ontario Training School for Boys, Guelph, be discontinued as and when an industrial school is established, its function to be absorbed by the Industrial School.

49. That the Ontario Training School for Girls at the Andrew Mercer Reformatory, Toronto, be transferred to the new Institution to replace the Mercer; when constructed, and that suitable facilities be provided there with accommodation on the cottage plan.

JAILS

50. That the Department of Reform Institutions establish a set of minimum standards of sanitation, ventilation, and accommodation for all jails in the

Province.

51. That the Department of Reform Institutions **assume** control and operation of all District, City and County jails in Ontario.

52. That sheriffs be relieved of all powers, direct or indirect, in connection with jails;

53. That all jail personnel be absorbed into the Civil Service of Ontario with the full benefits accruing thereby, on a basis of equality with employees of other Reform Institutions.

54. That municipalities and Ontario Provincial Police make provision for lock-ups and for maintenance of same for their own purposes to the greatest possible extent, instead of imposing upon county jails.

55. That the Department of Reform Institutions make whatever adjustments are necessary to ensure the maximum economy and efficiency in jail operation, including amalgamation of little-used jails in adjacent areas.

56. That jails be used only to house adult persons on remand and those serving short sentences, except for narcotics addicts, and any other prisoners requiring special treatment as noted in this Report.

57. That the Department of Reform Institutions take whatever steps are necessary to elevate jails to the standards recommended in this Report, including provision for proper segregation, inmate employment, medical care, sanitation, exercise and hobbies.

58. That the Department of Reform Institutions provide facilities for visitors, such facilities to consist of sets of two booths each separated by unbreakable glass, and supplied with telephones for verbal communication.

59. That enclosures be provided at all jails to ensure maximum security in reception and transfer of prisoners.

60. That examination of incoming prisoners be more thorough, utilizing such modern devices as the fluoroscope where practical, to intensify precautions against the entry of contraband.

MENTAL CASES

61. that magistrates be encouraged to use the procedure outlined in Section 35 of the Mental Hospitals Act whenever possible when dealing with suspended mental cases.

62. That "a safe and comfortable place" under the Mental Hospitals Act should be preferred, and jails shall come within this definition only as a last resort.

63. That General Hospitals in all localities be encouraged to establish detention units for housing of mental patients.

64. That a full-scale Reception Centre be established to receive, study, diagnose and recommend treatment for all first offenders aged 16 to 25, male and female, sentenced to provincial institutions.

65. That the length of stay be six weeks to two months, except for short-term prisoners.

66. That facilities be extended in the future to receive all first offenders and all repeaters likely to benefit.

RECEPTION CENTRE

67. That a full-scale Reception Centre be established to receive, study, diagnose and recommend treatment for all first offenders aged 16 to 25, male and female, sentenced to provincial institutions.

68. That the length of stay be six weeks to two months, except for short-term prisoners.

69. That facilities be extended in the future to receive all first offenders and all repeaters likely to benefit.

SEGREGATION

70. That segregation be based on thorough study and classification carried out in a Reception Centre.

71. That particular care be taken in the segregation for proper treatment of sex deviates, the mentally defective and mentally retarded, alcoholics, drug addicts; and psychopaths be segregated from the general inmate population; and that reformable inmates be kept separate from those not likely to reform.

72. That segregation within institutions be complete, with no inter-mingling of different groups.

DORMITORIES

73. That the Department of Reform Institutions establish a policy of providing accommodation in individual cells rather than dormitories in all adult institutions, such policy to be implemented over a period of years.

IDLENESS

74. That the policy be established in all custodial institutions, including jails, of providing work for all able-bodied inmates.

75. That in view of the nature and purposes of custody in contrast to living at liberty, the normal work week for inmates be set at 48 hours.

76. That provision be made for the re-institution of "hard labour" with a longer work week for inmates who have been sentenced to same.

PRODUCTIVE OPERATIONS

77. That an immediate survey be made to determine the best means of expanding and extending productive operations in all custodial institutions.

78. That the findings of the survey be taken into account in setting up sufficient productive operations in custodial institutions to provide employment for all able-bodied inmates as soon as possible.

79. That the first step toward a greater amount and variety of industrial and farm operations be

taken immediately by carrying out the specific suggestions contained in this Report in regard to such operations at the various institutions.

SPIRITUAL GUIDANCE

80. That greater emphasis be placed on spiritual guidance in custodial institutions, and that, to this end a full-time chaplaincy service be established as soon as possible.

MEDICAL CARE

81. That medical examinations be given immediately after arrest to all persons who exhibit the slightest evidence of illness or injury.

82. That the conference method of assessing cases be used more widely in the large institutions.

EDUCATION

83. That commercial training be extended in the Ontario Training School for Girls.

84. That general educational efforts be extended where necessary, keeping in mind both the reformative programme and the punitive aspect of detention, by establishment of adequate library facilities in all custodial institutions, and maintaining of instruction, hobbies and recreation at a consistent level.

DISCIPLINE

85. That existing policies and practices in regard to discipline and punishment be continued.

86. That provision for use of leg-irons be removed from the regulations.

SECURITY

87. That the Department of Reform Institutions establish more rigid control over entry and egress at its institutions by means of night patrols or any other measures necessary for effectiveness.

FEMALE OFFENDERS

88. That consideration be given to an immediate start on a cottage-plan accomodation for young female "reformables".

ALCOHOLICS

89. That indeterminate sentences be provided for all persons convicted of offences involving liquor so that all convicted alcoholics would become eligible for treatment, subject to screening for suitability.

90. That facilities for treatment of alcoholics be extended, either at the Alex G. Brown Clinic, or elsewhere, to ensure that facilities would be available for all convicted alcoholics, including female offenders.

91. That the treatment program be revised as much as is practicable so that the intelligence requirement for admission will bar as few as possible.

92. That addicts be given longer sentences so as to facilitate ultimate rehabilitation.

93. That narcotics addicts be segregated in close security accomodation, with hospital treatment when desirable.

94. That research into the problem be instituted in relation to convicted addicts.

SEX DEVIATES

95. That facilities be provided for detailed study of all convicted sex offenders for the guidance of magistrates in imposing sentence.

96. That all sex offenders be given indefinite sentences which are not to be terminated until curative measures have taken effect.

97. That a separate close-security unit, adequately staffed with trained personnel, be established for the treatment of all sex offenders.

98. That persons charged with committing sex offences in institutions should be tried in regular court, and if found guilty, sent to the special unit for treatment on the same basis as other sex perverts.

99. That an extensive scientific study be undertaken immediately into the nature of sex deviation and the methods of dealing with it, such study to be spearheaded by personnel at the separate unit for

deviates when established, the first duty of the research team to be to advise in detail which offences should be considered sex offences for the purpose of the above recommendations.

PROBATION, PAROLE AND AFTER-CARE

100. That a Commission of Corrections be set up to co-ordinate the services of probation, parole and after-care, such Commission to consist of five full-time civil servants.

101. That such Commission be responsible to the Minister of Reform Institutions for administrative purposes, but that it be a semi-judicial body, independent and free to discharge its duties in an impartial manner.

102. That appointees to the Commission be persons not now or previously employed by either the Department of Reform Institutions or the Department of the Attorney General.

103. That the Commission absorb the three services of probation, parole, and after-care.

104. That the Commission establish the maximum possible interrelation in the policies and operations of the three services.

105. That the Commission assume the control of the Reception Centre when established as recommended in this report.

106. That pre-sentence reports on all first-offenders and selected repeaters be provided the courts

for guidance in pronouncing sentence.

107. That adequate probation services be provided throughout the Province with all practical speed by appointment of at least 35 additional officers.

108. That all first offenders be considered for probation, but that repeaters be placed on probation only in exceptional circumstances.

109. That the Ontario Board of Parole be re-constituted as a full-time civil service Board of five persons, appointments to be made with due regard to the high qualifications necessary, and to the fact that both male and female offenders are involved.

110. That the Parole Board interview progressively inmates who will become eligible for parole during their definite sentences so that decisions will be based on the fullest possible knowledge of individual cases.

111. That the Parole Board be supplied with more detailed information about applicants, including full psychological reports.

112. That the Parole Board establish general policies for its operation based on scientific studies of parole practices and potentialities.

113. That the Parole Board develop a weighted interview system and make more effort to place interviewees at ease.

114. That the cases of all parole applicants be considered strictly according to their merits regardless of the severity or leniency of the sentence.

115. That new regulations be put into effect immediately to lessen uncertainty and confusion of Board members.

116. That the Advisory Board for Training Schools be disbanded and its functions assumed by the Parole Board.

117. That the name of the service now known as "rehabilitation" be changed so that it shall be known as "after-care".

118. That after-care services be intensified on First offenders and others who appear to be particularly good prospects for reformation.

119. That Parole and rehabilitation officers be given an intensive training course before assuming their duties.

120. That after-care facilities be extended to all custodial institutions under Provincial control, including jails.

121. That all parole and rehabilitation officers be on a full-time basis.

122. That transportation provisions be made in deserving cases for those released from custody long distances from the place from which they came.

123. That the maximum \$20 gratuity on discharge be granted through the parole and rehabilitation officers, to be given out in credits for food and clothing if such methods are considered desirable.

124. That a Half-way House be established through existing agencies in large centres of population to ease the critical period between discharge and the finding of employment.

125. That the Department of Reform Institutions give every encouragement to municipalities and organizations in order to promote successful after-care.

FIRST OFFENDERS

126. That pre-sentence reports be prepared for the guidance of courts in sentencing all first offenders.

127. That incarceration of first offenders be discouraged except where there are exceptional circumstances.

128. That probation be given first consideration in the sentencing of all first offenders.

RECIDIVISTS AND HABITUAL CRIMINALS

129. That sentences of confirmed recidivists be long enough to bring real benefit to society; and that Burwash Provincial Prison be set aside exclusively for non-reformable recidivists.

130. That persons who have served a previous sentence in a penitentiary, or three or more sentences in a reformatory, should not be re-admitted to a reformatory.

131. That confirmed derelicts be given longer indefinite sentences, segregated completely from other inmates, and provided with an extensive work programme in keeping with their capabilities.

132. That criminal psychopaths be segregated completely from other inmates and be given hard labour.

133. That scientific studies of the causes and

possible cure of criminal psychopathy be carried out in regard to psychopaths while they are in custody.

JUVENILES AND ADOLESCENTS

134. That overcrowding and other hinderances to the efficient operation of Juvenile Courts be alleviated in order to ensure thorough consideration of all cases.

135. That Adolescent Courts be established to deal with cases involving persons between the ages of 16 and 18 so that adolescents would be accorded the special consideration and treatment that are in the best interest of society.

136. That legislation in regard to husbands who desert their wives be so amended as to afford maximum protection to the families involved.

137. That the Ontario Board of Motion Picture Censors maintain more stringent control over movies which would be likely to have a detrimental effect on children.

138. That the Department of Reform Institutions stop forthwith the practice of issuing tobacco to juveniles in Ontario Training Schools.

139. That a careful survey be made of costs at the Ontario Training Schools, with particular regard to disparities among the three schools, and that

adjustments be made where necessary to place them on an equitable and reasonable basis.

140. That juveniles be released from the Training Schools at the optimum time for reformation, even if that time is adjudged for individual cases to be much shorter than the 10 to 12 month period which now is the average, and that release and placement be decided upon by the re-constituted Ontario Board of Parole.

141. That consideration be given to making parents responsible for acts of vandalism by their children.

142. That an Industrial School be established to receive and train convicted adolescents between the ages of 16 and 18, and those juveniles presently housed at the Ontario Training School, Guelph.

APPENDIX A

RATIOS OF COMMITMENTS AND SENTENCES PER THOUSAND OF POPULATION IN ONTARIO FOR FISCAL YEARS ENDING 1913-1952

(In 1935 fiscal year was changed to
March 31 instead of September 30.)

Year end'g	Pop.of <u>Prov.</u>	No. of <u>Com.</u>	No.of <u>Sent.</u>	Ratio to Pop.		Sent. Peak and
				<u>Com.</u>	<u>Sent.</u>	<u>Low Years</u>
1913	2,767,000	19,250	11,897	6.9	4.3	-
1914	2,770,000	22,777	14,801	8.2	5.3	5.3
1915	2,788,000	20,337	12,663	7.3	4.5	-
1916	2,728,000	16,100	9,364	5.9	3.4	-
1917	2,750,000	12,445	7,867	4.5	2.9	-
1918	2,769,000	13,242	7,874	4.8	2.8	-
1919	2,821,000	13,096	7,904	4.6	2.8	-
1920	2,849,000	14,756	8,643	5.2	3.0	-
1921	2,934,000	16,800	9,790	5.7	3.3	-
1922	3,101,000	14,800	9,312	4.8	3.0	-
1923	3,035,000	13,995	8,036	4.6	2.6	2.6
1924	3,075,000	15,879	8,834	5.1	2.9	-
1925	3,115,000	18,023	11,306	5.8	3.6	-
1926	3,151,000	18,033	11,371	5.7	3.6	-
1927	3,176,000	20,578	13,927	6.5	4.4	-
1928	3,241,000	23,786	16,358	7.3	5.0	-
1929	3,285,000	25,980	17,626	7.9	5.4	-
1930	3,366,000	29,126	21,421	8.7	6.4	6.4
1931	3,432,000	26,358	18,127	7.7	5.3	-
1932	3,479,000	25,235	15,804	7.3	4.5	-
1933	3,510,000	22,484	14,538	6.4	4.1	-
1934	3,540,000	20,916	13,509	5.9	3.8	3.8
1935	Fiscal year changed to March 31.					-
1936	3,690,000	24,053	16,356	6.5	4.4	-
1937	3,711,000	27,592	20,618	7.4	5.6	-
1938	3,731,000	30,345	23,649	8.1	6.3	-
1939	3,750,000	34,914	27,926	9.3	7.4	7.4
1940	3,755,000	33,075	26,543	8.8	7.1	-
1941	3,757,000	30,875	25,627	8.2	6.8	-
1942	3,760,000	27,225	19,652	7.2	5.2	-
1943	3,790,000	25,411	18,551	6.7	4.9	4.9
1944	3,800,000	25,975	19,159	6.8	5.0	-
1945	3,815,000	26,299	19,132	6.9	5.0	-
1946	4,101,000	29,409	21,614	7.2	5.3	-
1947	4,189,000	32,541	25,355	7.8	6.1	-
1948	4,297,000	36,598	30,613	8.5	7.1	-
1949	4,411,000	39,429	33,627	8.9	7.6	-
1950	4,512,000	43,622	37,607	9.7	8.3	-
1951	4,597,000	46,858	40,743	10.2	8.9	8.9
1952	4,766,000	46,143	40,486	9.7	8.5	-

APPENDIX B

COSTS OF INCARCERATION IN ONTARIO*

(Year ending March 31, 1953)

TABLE I-a

GRAND TOTAL COST (Gross)

(of incarcerating prisoners in Ontario Institutions)

Department of Reform Institutions \$7,829,172.00

Department of the Attorney-General
(District Jails) 492,450.00

City and County Jails (37) 1,560,000.00

Gross total cost - \$9,881,622.00

Annual average cost per inmate 1,997.09

Daily average cost per inmate 5.47

* * *

TABLE I-b

GRAND TOTAL COST (Net)

Gross \$9,881,622.00

Deduct:

Revenue Credits 2,978,745.15

Net total cost - \$6,902,876.85

Annual average net cost per inmate 1,395.10

Daily average net cost per inmate 3.82

* * *

*Note:

All calculations in Appendix B are based on the average daily populations of 4948 for 1952-53, as follows: Reformatories and industrial farms, 2,737; training schools, 556; jails, 1,655.

APPENDIX B continued

TABLE II-a

GROSS REAL COSTS - ADULT PROVINCIAL REFORMATORIES AND INDUSTRIAL FARMS.

How Derived:

Dept. of Reform Institutions	\$7,829,172.00
Less: Main Office	959,980.74
Parole Board	51,485.22
O.T.S. costs	880,193.64
*** Operating costs of Institutions	\$5,937,512.40
*** Parole Board	51,485.22

Administration:

*** Taken at 70 per cent total M.O. costs
after deductions listed below:

Total Main Office	\$959,980.74
Less:	
Grants to pte. t.s.	162,125.10
O.T.S. teaching	1,573.81
Grants - John Howard	
Eliz. Fry	11,000.00
Salv. Army	<u>15,000.00</u>

Net Main Office costs \$770,281.83

Seventy Per cent Main Office costs 539,197.29

Gross Total Cost - \$6,528,194.91

Annual Average Gross Cost per inmate \$ 2,312.08

Daily Average Gross cost per inmate \$ 6.33

TABLE II-b

NET REAL COSTS - ADULT PROVINCIAL REFORMATORIES AND INDUSTRIAL FARMS.

Gross Total Cost \$6,528,194.91

Total Credits 2,760,002.70

Net Real Costs - \$3,768,192.21

Annual average net cost per inmate \$ 1,376.76

Daily average cost per inmate \$ 3.77

APPENDIX B continued

TABLE III-a

Ontario Training Schools (These three tables exclude by
(necessity the incalculable share
(of overhead Main Office expenses
(they might normally be charged
(with.

Gross Costs of Operations:

Bowmanville	\$326,800.80
Cobourg	299,916.58
Galt	<u>253,476.26</u>

\$880,193.64

Annual average gross cost per inmate	\$ 1,583.08
Daily average gross cost per inmate	4.34

TABLE III-b

Net Costs of Operations to Taxpayers:

Gross Costs	\$880,193.64
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Credits:

Bowmanville	\$ 96,335.63
Cobourg	79,118.12
Galt	<u>43,288.70</u>

Total Credits	<u>218,742.45</u>
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Maintenance

Recoveries	<u>-171,380.10</u>
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(That portion allowed
(which is regained from the
(taxpayer through the munici-
(pality and is in turn regained
(only in small part from the
(parents.)

Net Credits	<u>47,362.35</u>
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Net Costs of Operations to Taxpayers	<u>\$832,831.29</u>
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Net Average annual cost to Taxpayer per inmate	\$ 1,497.89
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Net Average daily cost to taxpayer per inmate	4.10
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APPENDIX B continued

TABLE III-c

Ontario Training Schools, continued

Net Provincial Costs of Operation:

Gross Costs	\$880,193.64
Gross Credits	<u>-218,742.45</u>
Net Provincial Costs of Operation	\$ <u>661,451.19</u>
Average annual net provincial cost per inmate	\$ 1,189.66
Average daily net provincial cost per inmate	3.23

* * *

APPENDIX B continued

TABLE IV

COSTS OF OPERATING ONTARIO, CITY, COUNTY & DISTRICT JAILS

(These costs are necessarily net costs, as in the case of Ontario training schools as well, administration costs are incurred but incalculable. Administration, inspection and so forth for jails is split in overhead costs by Departments of Reform Institutions and Attorney-General.)

City and County Jails	\$1,560,000.00	
District Jails	492,450.00	
(This figure is a calculation based on 1952 costs with an added increase of 5%, which was generally experienced by Dept. Reform Institutions over same period.)		
Total Jail Costs		<u>\$2,052,450.00</u>
Annual average cost per inmate		\$ 1,240.03
Daily average cost per inmate		3.39

* * *

APPENDIX C

Statement by Department of Reform
Institutions showing Operating Costs of Institutions
Based on Goods and Items Actually Used, 1952-1953, to
be inserted.

- - - -

APPENDIX D

DEPARTMENT OF REFORM INSTITUTIONS

Number of Guards who left the Service each year
from April 1, 1946, to March 31, 1953,
and the average length of time
they remained with the Department

- - - - -

<u>Institutions</u>	<u>1946/47</u>	<u>1947/48</u>	<u>1948/49</u>	<u>1949/50</u>	<u>1950/51</u>
Ontario Reformatory					
" Guelph	51	84	51	61	92
" Mimico	15	34	33	45	36
" Brampton	nil	16	12	7	8
Industrial Farm,					
" Burwash	88	148	132	76	43
" Monteith	-	9	10	7	20
" Neys	-	2	8	10	11
" Rideau	-	2	10	4	4
" Burtch	<u>-</u>	<u>-</u>	<u>5</u>	<u>10</u>	<u>23</u>
Total	<u>154</u>	<u>295</u>	<u>261</u>	<u>220</u>	<u>237</u>

APPENDIX D Continued

DEPARTMENT OF REFORM INSTITUTIONS

Number of Guards who left the Service each year
from April 1, 1946, to March 31, 1953,
and the average length of time
they remained with the Department

- - - - -				
<u>Institutions</u>	<u>1951/52</u>	<u>1952/53</u>	Total No. leaving Department	Average time each remained with Dept.
Ontario Reformatory,				
" Guelph	78	107	524	12 3/4 months
" Mimico	58	23	244	8 1/4 "
" Brampton	11	22	76	13 "
Industrial Farm,				
" Burwash	52	42	581	9 1/4 "
" Monteith	17	9	72	10 1/4 "
" Neys	10	closed	41	9 "
" Rideau	2	4	26	13 "
" Burtch	<u>12</u>	<u>13</u>	<u>63</u>	<u>10</u> "
Total	<u>240</u>	<u>220</u>	<u>1,627</u>	<u>10 1/2</u> "

APPENDIX E

Prisoners from Outside Points

Discharged from Sudbury District Jail,

January - June, 1953

(with no special provision for return home.)

- - - - -

	<u>Point of Arrest</u>	<u>Mileage to</u>	<u>Cash on Disch'ge</u>
No. 1	Manitoulin Island	130	\$ 7.39
No. 2	Chapleau	150	26.53
No. 3	Chapleau	150	5.48
No. 4	Little Current	90	3.41
No. 5	Chapleau	150	9.84
No. 6	Manitoulin Island Reserve	130	.55
No. 7	" " "	130	5.15
No. 8	" " "	130	4.51
No. 9	" " "	130	NIL
No. 10	Espanola	47	3.00
No. 11	Hornepayne	325	104.16
No. 12	Espanola	47	NIL
No. 13	Manitoulin Island	130	.85
No. 14	Sultan	300	.05
No. 15	Little Current	90	9.07
No. 16	Manitoulin Reserve	130	5.29
No. 17	Manitoulin Reserve	130	.36
No. 18	Little Current	90	11.87
No. 19	Manitoulin Island	130	5.30
No. 20	Hornepayne	325	82.08
No. 21	White River	300	NIL
No. 22	White River	300	NIL
No. 23	Manitoulin Island	130	34.94
No. 24	" "	130	NIL
No. 25	Chapleau	150	1.08
No. 26	"	150	2.82
No. 27	"	150	NIL
No. 28	"	150	.07
No. 29	"	150	.42
No. 30	Cartier	50	13.55
No. 31	Chapleau	150	NIL
No. 32	Foleyet	100	.02
No. 33	Hornepayne	325	14.85
No. 34	Chapleau	150	.15
No. 35	Chapleau	150	6.17
No. 36	Chapleau	150	NIL
		100	.89

